FEB -8-80 B 524514D*****10.00
FEB -8-80 B 524513D*****50.00

Wade D. Ward, Assignee
Ex Parte for the purpose
of Foreclosure and Collection
under power obtained in a
mortgage from Sewell F. Truitt,
Jr., and Margaret L. Truitt, his
wife, and then by assignment to
Wade D. Ward for foreclosure and
collection

No. 10806 Chancery

In the Circuit Court

For Somerset County

State of Maryland

Dear Mr. Clerk:

Please file the attached mortgage, non-military service affidavit and statement of mortgage debt and enter the appearance of Wade D. Ward for the purpose of foreclosure and collection.

Wade D. Ward, Attorney
and Assignee

FOR ORIGINAL MORTGAGE SEE LIBER NO. 303, FOLIO 458

FOR ASSIGNMENT SEE LIBER NO. 320, FOLIO 301.

LIBER 048 PAGE 02

Wade D. Ward, Assignee
Ex Parte for the purpose
of Foreclosure and collection
under power obtained in a
mortgage from Sewell F. Truitt,
Jr., and Margaret L. Truitt, his
wife, and then by assignment to
Wade D. Ward for foreclosure and
collection.

No. 10806 Chancery

In the Circuit Court

For Somerset County

State of Maryland

NON-MILITARY SERVICE AFFIDAVIT

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY, that on this 7th day of February, 1980, before me, the subscriber, a Notary Public of the State and County, aforesaid, personally appeared William C. Saltz, one of the owners, and he made oath in due form of law that he knows the Defendants herein and that to the best of his knowledge, information and belief:

(1) Said Defendants are not in the Military Service of the United States of America.

(2) Said Defendants are not in the Military Service of any National allied with the United States of America.

(3) Said Defendants have not been ordered to report for induction under the Selective Training and Service Act.

(4) Said Defendants are not members of the Enlisted Reserve Corps who have been ordered to report for Military Service.

Kristel A. Custer
Notary Public

Wade D. Ward, Assignee
Ex Parte for the purpose
of Foreclosure and Collection
under power obtained in a
mortgage from Sewell F. Truitt,
Jr., and Margaret L. Truitt, his
wife, and then by assignment to
Wade D. Ward for foreclosure and
collection

No. 1806 Chancery

In the Circuit Court

For Somerset County

State of Maryland

STATEMENT OF MORTGAGE DEBT

Original amount of mortgage	$58,000.00
Less - amount paid on principal	12,000.00
Amount owed on principal	46,000.00

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY, that on this 7th day of February, 1980, before me, the subscriber, a Notary Public of the State and County, aforesaid, personally appeared William C. Saltz, one of the owners in the above entitled cause, and made oath in due form of law that the foregoing is a true statement of the amount of the mortgage claim under the mortgage filed in the said cause now remaining due and unpaid.

AS WITNESS my hand and Notarial Seal.

Kristel A. Coates
Notary Public

Maryland

LIBER 048 FOLIO 04

No. 10806 Chancery Case

WESTERN SURETY COMPANY

One of America's Oldest Bonding Companies

CHICAGO • SIOUX FALLS • DALLAS
PALO ALTO • BALA-CYNWYD, PA.

LIBER 011 FOLIO 44

TRUSTEES, MORTGAGEES, ATTORNEYS OR FORECLOSURE BOND

KNOW ALL MEN BY THESE PRESENTS: FORM No. 19-TM- 4323

That we, Wade D. Ward, as Principal, and the WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, as Surety, authorized to do business in the State of Maryland, are held and firmly bound in the sum of Forty six thousand and no/100--- ($ 46,000.00) DOLLARS,
(NOT VALID IF FILLED IN FOR MORE THAN $500,000.00)
to be paid to the said State of Maryland or its certain Attorney, to which payment well and truly to be made, we bind ourselves and our legal representatives, jointly and severally, by these presents.

Sealed with our seals and dated this 3rd day of March, 19 80.

WHEREAS, the above bounden Wade D. Ward

by virtue of the power contained in a mortgage from Sewell Truitt & Margaret L. Truitt

to William C. Saltz & Nola R. Saltz

bearing date the 11th day of October 1977 and recorded among

the mortgage records of Somerset County

in Liber _____ No. 303 Folio 458

and Wade D. Ward
is about to sell the land and premises described in said mortgage, default having been made in the payment of the money as specified, and in the conditions and covenants therein contained.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bounden

Wade D. Ward

do and shall well and truly and faithfully perform the trust reposed in him under the mortgage aforesaid, and shall abide by and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of said mortgaged property, or the proceeds thereof, then the above obligation to be void; otherwise to be and remain in full force and virtue in law.

Signed, Sealed and delivered in the presence of

As to Principal

Wade D. Ward
Principal

As to Surety

Principal

A. Collins

C. Kroeger

WESTERN SURETY COMPANY

By D. Bannson
D. Bannson, Ass't Sec.

Countersigned by John Willard Towes Maryland Resident Agent

THE WITHIN BOND APPROVED.

PER: J. Windsor Phelps, CLERK.

FILED

MAR 3 12 49 PM '80

RECORDED IN ITP
LIBER NO 011 FOLIO 44
J. THEODORE PHELPS, CLK. CIR. CT.
BY _____ DEPUTY

1268—3-75

Wade D. Ward, Assignee Ex Parte for the purpose of Foreclosure and Collection under power obtained in a mortgage from Sewell F. Truitte Jr., and Margaret L. Truitte, his wife, and then by assignment to Wade D. Ward for foreclosure and collection.	No. 10,806 Chancery In the Circuit Court For Somerset County State of Maryland

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The report of sale of Wade D. Ward, Assignee of the mortgage made and executed by Sewell F. Truitte, Jr., and Margaret L. Truitte, his wife to William C. Saltz and Nola R. Saltz, dated October 11, 1977 and recorded among the Land Records of Somerset County, Maryland in Liber I.T.P. No. 303 folio 458, duly assigned to the undersigned for the purpose of foreclosure and collection, under and by virtue of a power of sale therein contained, default having been made in the payment of the money secured by said mortgage or in the payment of the interest thereon, or in some other covenant of said mortgage whereby the said mortgage debt has become due and demandable, respectfully represents unto Your Honors:

That after consolidation of said case and after giving bond with security approved by the Clerk of the Court, for the faithful performance of the assignee, as aforesaid, reposed in him by and pursuant to said mortgage and as required by law and after giving twenty days notice of the time, place, manner, and terms of sale by advertisement in the Crisfield Times, once in each consecutive weeks before the day of the sale he did pursuant to said notice attend on the Post Office steps in Crisfield, Maryland on Tuesday March 4, 1980 at 2:00 p.m. then and there proceed to sell the property described in said mortgage, to wit:

Parcel I: All that lot or parcel of land situate, as aforesaid in the City of Crisfield, Somerset County, State of Maryland and fronting 32 feet 6 inches on Main Street in said City of Crisfield and running back a distance of 110 feet and being the same and all

that real estate and premises conveyed to Abram L. Hardester from John R. Dixon, et al. by deed dated March 16, 1909 and recorded in Liber S.F.D. No. 52 folio 349.

Parcel II: All that lot or parcel of land situate, as aforesaid and adjoining the above described lot and fronting 5 feet on said Main Street and running back a distance of 118½ feet; and being the same and all that real estate and premises conveyed to Abram L. Hardester from Annie Milligan by deed dated March 29, 1909 and recorded in Liber S.F.D. No. 52 folio 56.

Parcel III: All those property rights and privileges granted and conveyed unto the said Abram L. Hardester and William L. Pitts and wife, and conveyed unto the said Hardester and Pitts by deed dated August 26, 1909 and recorded in Liber S.F.D. No. 52 folio 352.

The above land and property being the same and all of the land which was conveyed unto the said George E. Maddrix and George W. Lawson, now deceased, partners, T/A Lawson and Maddrix, by deed from the Crisfield Lodge No. 1044, Benovelent and Protective Order of the Elks of the United States of America, by deed dated March 1, 1937 and recorded in Liber J.M.T. No. 112 folio 565.

And being the same and all that property conveyed unto Samuel M. Saltz from George E. Maddrix, Addie Maddrix, Lillie M. Lawson, widow, Margaret Pasquella and Daniel Pasqualla, her husband, by deed dated May 19, 1945 and recorded among the aforesaid land records in Liber B.L.B. No. 131 folio 552; being the same and all that property conveyed unto Sewell Truitt and Margaret L. Truitt, his wife, from William C. Saltz, Personal Representatiave of the Estate of Samuel Saltz, deceased, William C. Saltz snd Nola Saltz by deed dated October 11, 1977 and recorded among the land records in Liber I.T.P. No. 303 folio 455.

And the said property was sold to William C. Saltz and Helen Saltz, his wife, they being thenand there the highest bidder thereof, at and for the sum of Forty Thousand Dollars ($40,000.00) and the purchaser has complied with the terms of sale.

Respectfully submitted,

Wade D. Ward

AFFIDAVIT

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY, that on this 5th day of March, 1980, before me, the subscriber, a Notary Public of the State and County, aforesaid, personally appeared Wade D. Ward, Attorney and Assignee of the Foreclosure of Sewell F. Truitte, Jr., and Margaret L. Truitte, his wife, and he made oath in due form of law that the matters and facts contained in the Report of Sale are true and correct to the best of his knowledge, information and belief.

WITNESS my hand and seal the day and year as first above written.

Kristel A. Custis
Notary Public

LIBER 048 PAGE 08

Wade D. Ward, Assignee Ex Parte for the purpose of Foreclosure and Collection under power obtained in a mortgage from Sewell F. Truitte Jr., and Margaret L. Truitte, his wife, and then by assignment to Wade D. Ward for foreclosure and collection.	No. 10,806 Chancery In the Circuit Court For Somerset County State of Maryland

O R D E R N I S I

ORDERED, that the sale of the property mentioned in these proceedings and the distribution of the process thereof be ratified and confirmed unless cause to the contrary thereof be shown on or before the 4th day of April, 1980, provided a copy of this Order be inserted in some weekly newspaper printed in Somerset County, once in each of three successive weeks before the 31st day of March, 1980.

The report states the amount of sale being Forty Thousand Dollars ($40,000.00).

Dated: March 5, 1980

I. Theodore Phoebus

I. Theodore Phoebus, Clerk

Wade D. Ward, Assignee
Ex Parte for the purpose
of Foreclosure and Collection
under power obtained in a
mortgage from Sewell F. Truitte
Jr., and Margaret L. Truitte, his
wife, and then by assignment to
Wade D. Ward for foreclosure and
collection.

No. 10,806 Chancery

In the Circuit Court

For Somerset County

State of Maryland

AFFIDAVIT

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY, that on this 1st day of April, 1980, before me, the subscriber, a Notary Public of the State and County, aforesaid personally appeared Wade D. Ward, Attorney and Assignee, of the foreclosure of Sewell F. Truitte, Jr., and Margaret L. Truitte, his wife, and he made oath that he mailed a certified U.S. Postage prepaid letter to Sewell F. Truitte, Jr., and Margaret L. Truitte, his wife, at Route 413 (The Howard Building), in Crisfield, Maryland 21817 and copies of the receipts are attached hereto.

As witness my hand and seal the day and year first above written.

Kristel A. Custis
Notary Public

KRISTEL A. CUSTIS NOTARY PUBLIC SOMERSET COUNTY, MARYLAND

P03 3913544

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO Mr. Sewell Truitte
STREET AND NO. Route 413 (The Howard Building)
P.O., STATE AND ZIP CODE Crisfield, Maryland 21817

POSTAGE		$ .15
CONSULT POSTMASTER FOR FEES — OPTIONAL SERVICES	CERTIFIED FEE	.80 ¢
	SPECIAL DELIVERY	¢
	RESTRICTED DELIVERY	¢
RETURN RECEIPT SERVICE	SHOW TO WHOM AND DATE DELIVERED	.45 ¢
	SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	¢
	SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	¢
	SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	¢
TOTAL POSTAGE AND FEES		$ 1.40
POSTMARK OR DATE		

PS Form 3800, Apr. 1976

CRISFIELD, MD. FEB 20 1980

LIBER 048 PAGE 09

PS Form 3800, Apr. 1976

POSTAGE		$ .15
CONSULT POSTMASTER FOR FEES — OPTIONAL SERVICES	CERTIFIED FEE	.80 ¢
	SPECIAL DELIVERY	¢
	RESTRICTED DELIVERY	¢
RETURN RECEIPT SERVICE	SHOW TO WHOM AND DATE DELIVERED	.45 ¢
	SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	¢
	SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	¢
	SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	¢
TOTAL POSTAGE AND FEES		$ 1.40
POSTMARK OR DATE		

CRISFIELD, MD. FEB 20 1980

P03 3913545

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO Mrs. Margaret Truitte
STREET AND NO. Rt. 413 (The Howard Building)
P.O., STATE AND ZIP CODE Crisfield, Maryland 21817

Wade D. Ward, Assignee Ex Parte for the purpose of Foreclosure and Collection under power obtained in a mortgage from Sewell F. Truitte Jr., and Margaret L. Truitte, his wife, and then by assignment to Wade D. Ward for foreclosure and collection.	No. 10,806 Chancery In the Circuit Court For Somerset County State of Maryland

PURCHASER'S AFFIDAVIT

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY, that on this 1st day of April, 1980, before me, the subscriber a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared William C. Saltz and Helen Saltz, his wife, they being the purchasers of the real estate in the above entitled proceedings and made oath in due form of law:

1. That in making said purchase they were not acting as agent for anyone but themselves.

2. That other interest in said purchase as principal is none.

3. That they did not directly or indirectly discourage anyone from bidding for said property.

AS WITNESS my hand and seal the day and year first above written.

Kristel R. Rustis
Notary Public

Wade D. Ward Esq.
Main Street
Crisfield, MD. 21817

Wade D. Ward, Attorney for the Plaintiff and Counsel for the Trustee and Collector under chapter 13 of the Bankruptcy Act from Sewell F. Truitt, Jr., and Margaret L. Truitt, his wife, and the party entitled to Wade D. Ward for foreclosure and collection.

No. 10,636 Chancery
In the Circuit Court
For Somerset County
State Of Maryland

Order Nisi

ORDERED, that the sale of the property mentioned in these proceedings and the distribution of the process thereof be ratified and confirmed unless cause to the contrary thereof be shown on or before the 4th day of April, 1980, provided a copy of this Order be inserted in some weekly newspaper printed in Somerset County, once in each of three successive weeks before the 31st day of March, 1980.

The report states the amount of sale being Forty Thousand Dollars ($40,000.00).

Dated: March 5, 1980.

I, Theodore Phillips
Clerk

True Copy, Test:
I, Theodore Phillips
Clerk

3-13-3t

CRISFIELD, MD. April 8, 19 80

THIS is to certify that the annexed Order Nisi has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order Nisi for 3 weeks beginning with the issue of March 13, 19 80 and ending March 27, 19 80

William A. Martin Jr.
Publisher, THE CRISFIELD TIMES

By S.C. Leggin

Wade D. Ward Esq.
Main Street
Crisfield, MD. 21817

Public Sale

Property

By virtue of the power and authority contained in a mortgage from Sewell Truitt and Margaret L. Truitt, his wife, to William C. Sellers and Nola R. Saltz, dated October 11, 1977 and recorded among the Land Records of Somerset County, Maryland in Liber I.T.P. No. 303 folio 458 which said mortgage has been duly assigned to the undersigned for the purpose of foreclosure and collection, default having occurred under the conditions of said mortgage, I will sell at public auction on the East Office steps, Crisfield, Maryland, on

Tuesday
March 4, 1980

at or about the hour of 2:00 p.m., all those lot or parcels of land situate, lying and being in the City of Crisfield, Somerset County, State of Maryland and more particularly described as follows:

BEGINNING: All that lot or parcel of land situate [illegible] and being in the City of Crisfield [illegible] to [illegible] from [illegible] recorded in Liber 3 F.D. No. 62

CRISFIELD, MD. March 12, 19 80

3147

THIS is to certify that the annexed Public Sale has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Public Sale for 3 weeks beginning with the issue of February 14, 19 80 and ending February 28, 19 80.

William A. Martin Jr.
Publisher, THE CRISFIELD TIMES

folio 369.

PARCEL TWO: All that lot or parcel of land situate, as aforesaid and adjoining the above described lot and fronting 5 feet on said Main Street and running back a distance of 118½ feet; and being the same and all that real estate and premises conveyed to Abram L. Hardester from Annie Milligan by deed dated March 29, 1909 and recorded in Liber S.F.D. No. 52 folio 53.

PARCEL THREE: All those property rights and privileges granted and conveyed unto the said Abram L. Hardester and William L. Pitts and wife, and conveyed unto the said Hardester and Pitts by deed dated August 26, 1903 and recorded in Liber S.F.D. No. 52 folio 352.

The above land and property being the same and all of the land which was conveyed unto the said George E. Maddrix and George W. Lawson, now deceased, partners, T/A Lawson and Maddrix, by deed from the Crisfield Lodge No. 1044, Benovelent and Protective Order of the Elks of the United States of America, by deed dated March 1, 1937 and recorded in Liber J.M.T. No. 112 folio 565.

And being the same and all that property conveyed unto Samuel M. Saltz from George E. Maddrix, Addie Maddrix, Lillie M. Lawson, widow, Margaret Pasquella and Daniel Pasquella, her husband, by deed dated May 19, 1945 and recorded among the aforesaid land records in Liber B.L.B. No. 131 folio 552; being the same and all that property conveyed unto Sewell Truitt and Margoret L. Truitt, his wife, from William C. Saltz, Personal Representative of the Estate of Samuel Saltz, deceased, William C. Saltz and Nola Saltz by deed dated October 11, 1977 and recorded among the land records in Liber I.T.P. No. 303 folio 455.

These properties are improved with commercial building in good condition.

Terms of Sale: Two Thousand Dollars ($2,000.00) down on the day of sale, balance to be paid in thirty (30) days, credit portion bearing interest at 8% from date of sale. Possession of premises will be given upon compliance with terms of sale.

Taxes, assessments, and other public charges to be paid and adjusted to date of sale. Title examination, if desired, title papers revenue stamps and costs of recording at the expense of purchaser or purchasers.

Wade D. Ward
Attorney'
Assignee

2-14-3t

Wade D. Ward, Assignee
Ex Parte for the purpose
of Foreclosure and Collection
under power obtained in a
mortgage from Sewell F. Truitte
Jr., and Margaret L. Truitte, his
wife and then by assignment to
Wade D. Ward for foreclosure and
collection.

No. 10,806 Chancery

In the Circuit Court

For Somerset County

State of Maryland

FINAL ORDER

Ordered by this Court this 10th day of April, 1980 that the sale made and reported by the attorney be and the same is hereby ratified and confirmed, no cause to the contrary having been shown.

Lloyd L. Simpkins
Judge

Wade D. Ward, Assignee
Ex Parte for the purpose
of Foreclosure and Collection
under power obtained in a
mortgage from Sewell T. Truitte
Jr., and Margaret L. Truitte, his
wife and then by assignment to
Wade D. Ward for foreclosure and
collection.

No. 10,806 Chancery

In the Circuit Court

for Somerset County

State of Maryland

FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this court, reports that he had made an examination of the proceedings in the above entitled cause and from them and the list of expenses furnished him therein, states the following Account:

Amount of Sale			$40,000.00
Fees, Costs, Expenses, Etc.:			
I. Theodore Phoebus, Clerk		$ 118.00	
Phillip W. Tawes, Bond		138.00	
The Crisfield Times		127.20	
William Daugherty, Auctioneer		100.00	
Wade D. Ward, Trustee's Commission		2150.00	
10% of $3,000.00	$ 300.00		
5% of $37,000.00	1850.00		
Kristel A. Custis, Notary Public		7.50	
Postage, Certified Mail		1.40	
Carlos Bozman, Treasurer		236.91	
City of Crisfield Taxes		171.63	
City of Crisfield Water & Sewer		30.00	
Logan C. Widdowson, Auditor		50.00	
Total Fees, Costs, Expenses, Etc.			$ 3,130.64
Balance to be Distributed			$36,869.36
Mortgage Debt: As of February 7, 1980	$46,000.00		
Interest to 60 days after sale at about 8%		604.93	
Total Mortgage Debt			$46,604.93
Deficit			$ 9,735.57

ALL EXCEPTIONS to said report must be filed within fifteen (15) days of the date of filing; if no exceptions are filed, the Account may be ratified.

YOUR AUDITOR hereby certified that the Maryland Rules of Procedure have been complied with by mailing on the date of the filing of the Audit notice of this report to the following parties by regular U. S. Mail, Postage prepaid:

Wade Ward, Esq.
Crisfield, MD 21871

Sewell F. Truittee
Rt. 413 Howard Building
Crisfield, MD 21871

Margaret L. Truitte
Rt. 413 Howard Building
Crisfield, MD 21871

Date of Filing: July 10, 1981

Logan C. Widdowson, Auditor

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

81-101

No. 10,806 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 10th day of July, 19 81 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the 27th day of July, 19 81.

I. Theodore Phoebus
CLERK

No exceptions having been filed, and no cause to the contrary having been shown, IT IS ORDERED by the Circuit Court for Somerset County, in Equity, this 17th day of March, 19 82 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

I. Theodore Phoebus
CLERK

EXD
DEC 23 1982

OCT 29-81 B 529898D*****10.00
OCT 29-81 B 529897D*****60.00

C48 16

Alexander G. Jones, Substitute Trustee Princess Anne, Maryland 21853 and Peninsula Bank Princess Anne, Maryland 21853	:	No. 11,185 Chancery In the Circuit Court for Somerset County, Maryland
Plaintiffs	:	
vs	:	
Harold R. White (deceased) Louise E. White Chance, Maryland 21816	:	
Defendants		

To the Honorable, the Judges of said Court:

The petition of the plaintiffs filed pursuant to the provisions of Rule W72 of the Maryland Rules of Procedure respectfully represents:

1. That on August 30, 1978 Harold R. White and Louise E. White executed and delivered to Alexander G. Jones and Robert L. Taylor, Trustees, and Peninsula Bank, a deed of trust duly recorded among the Land Records of Somerset County in Liber I.T.P. No. 309, folio 493 conveying certain fee simple property in Somerset County, Maryland, described therein to secure the payment of a debt in the original amount of $25,000.00, evidenced by note dated August 30, 1978 in the amount of $25,000.00, payable on demand with interest at the rate of eleven per cent per annum.

2. That on August 15, 1980 Harold R. White and Louise E. White executed and delivered to Alexander G. Jones and Hugh W. Mohler, Trustees, and Peninsula Bank, a deed of trust duly recorded among the Land Records of Somerset County in Liber I.T.P. No. 323, folio 274 conveying certain fee simple property in Somerset County, Maryland, described therein to secure a debt not to exceed $36,500.00 at any one time. That Harold R. White and Louise E. White executed two notes each dated August 15, 1980, one note for $20,500.00 payable in monthly payments of $318.20 including principal and interest, and the second note for $16,000.00 payable in monthly payments of $248.42 including principal and interest.

3. That the defendants have subsequently defaulted in the payment of the indebtedness evidenced by said notes and secured by said deeds of trust and, under paragraph "Ninth" of said deeds of trust the defendant herein, described in said deeds of trust as "Grantor" assented, in the event of default, to the

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

passage of a decree for the sale of the property described in said deed of trust and authorized the trustees or successor to sell the same at public auction in the manner authorized and required by law or Rules of Court and agreed that the distribution of the proceeds of such sale should be made as therein provided.

4. That pursuant to paragraph "Eighth" the defendant, described as "Grantor" granted to the Beneficiary, Peninsula Bank, the right and power to appoint a Substitute Trustee in accordance with the terms thereof.

5. That by a document dated October 27, 1981 and duly recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 329, folio 809 Peninsula Bank appointed Alexander G. Jones, one of the plaintiffs herein, as Substitute Trustee in the place and stead of Robert L. Taylor, one of the original Trustees named in said deed of trust dated August 30, 1978.

6. That by a document dated October 27, 1981 and duly recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 329, folio 807, Peninsula Bank appointed Alexander G. Jones, one of the plaintiffs herein, as Substitute Trustee in the place and stead of Hugh W. Mohler, one of the original Trustees named in said deed of trust dated August 15, 1980.

7. That the defendants have default in the payment of the indebtedness secured by the deed of trust dated August 30, 1978 on which there now remains a balance due of $23,240.54 as of October 27, 1981 with a per diem of $10.69 thereafter.

8. That the defendants have defaulted in the payment of the indebtedness secured by the deed of trust dated August 15, 1980 on which there now remains a balance due of $35,667.97 as of October 27, 1981 with a per diem of $13.49 thereafter.

9. The aforesaid deed of trust dated August 30, 1978 is filed herewith as a part of this petition as Petitioners' Exhibit No. 1 and the aforesaid deed of trust dated Agust 15, 1980 is filed herewith as a part of this petition as Petitioners' Exhibit No. 2.

WHEREFORE, your petitioners pray that a decree may be passed for the sale of the said property in accordance with the terms of said deeds of trust and as required by law and the Maryland Rules of Procedure.

And as in duty bound,

JONES & JONES

By _____
Attorneys for Plaintiffs
Princess Anne, Maryland 21853
Telephone: 651-2747

FOR DEED OF TRUST SEE LIBER ITP NO. 309, folio 493
FOR DEED OF TRUST SEE LIBER ITP NO. 323, folio 274

Alexander G. Jones, Substitute Trustee and	:	No. 11185 Chancery
Peninsula Bank	:	In the Circuit Court for
Plaintiffs	:	Somerset County, Maryland
vs	:	
Harold R. White (deceased)	:	
Louise E. White	:	
Defendants		

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 27th day of October, 1981, before me, the undersigned officer, personally appeared Victor H. Dryden, Vice President of Peninsula Bank, and made oath in due form of law as follows: The balance remaining due on the deed of trust dated August 30, 1978 including interest through October 27, 1981 is $23,240.54 with a per diem of $10.69 thereafter, and the balance remaining due on the deed of trust dated August 15, 1980 including interest through October 27, 1981 is $35,667.97 with a per diem of $13.49 thereafter, and also made oath in due form of law that the defendant is not in the military service as hereinafter set forth and that she has not been in such military service referred to being as follows:

1. The military service of the United States of America or of the enlisted reserve corps thereof.

2. Ordered to report for induction under the Selective Training and Service Act of 1940 as amended.

3. The military service of any nation with which the United States of America may be allied in the prosecution of war.

As witness my hand and Notarial Seal the day and year above written.

Patsy E. Oke
Notary Public

Alexander G. Jones, Substitute Trustee: and Peninsula Bank	:	No. 11185 Chancery
		In the Circuit Court for
Plaintiffs	:	Somerset County, Maryland
vs		
	:	
Harold R. White (deceased) Louise E. White	:	
Defendants		

DECREE FOR SALE OF PROPERTY DESCRIBED IN DEED OF TRUST

The Petition and Exhibit in the above cause having been submitted to and considered by this Court:

It is, thereupon, this 29th day of October, in the year nineteen hundred and eighty-one, by the Circuit Court for Somerset County, Maryland, ADJUDGED, ORDERED and DECREED that the property described in said deeds of trust be sold at public auction; that Alexander G. Jones be and he is hereby appointed Trustee to make said sale and that the course and manner of this proceeding shall be as follows: He shall first file with the Court a bond to the State of Maryland, executed by himself and a corporate surety or sureties to be approved by this Court or by the Clerk thereof in the penalty of Sixty thousand dollars ($ 60,000.00), conditioned upon the faithful performance of the trust reposed or to be reposed in him by any further Decree or Order in the premises: He shall then proceed to make said sale, having given at least three weeks notice by advertisement inserted in a newspaper published in Somerset County, Maryland, and in such other newspapers, handbills, circulars and such other reasonable means as said trustee shall deem appropriate considering the nature of the property, of the time, place, manner and terms of sale which shall require payment by the purchaser of at least one-third cash or cashier's or certified check on the date of sale, the balance to bear interest at the rate of 16 % from the date of sale to be paid on or before ratification of the sale; and as soon as may be convenient after such sale the said Trustee shall return to this Court a full and particular account of his proceedings relative to such sale, with an affidavit annexed of the truth thereof, and of the fairness of said sale and in accordance with Rule BR6 of the Maryland Rules

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

of Procedure; and on obtaining the Court's ratification of the sale and on the payment of the whole purchase money (and not before) the said Trustee shall by a good and sufficient deed to be executed, acknowledged and recorded according to law, convey to the purchaser or purchasers the property and estate, free and clear and discharged from all claims of the parties hereto, plaintiffs and defendants, and those claiming by, from or under them or any of them. And the said Trustee shall bring into this Court the money from said sale to be distributed under the direction of this Court pursuant to the terms of said deed of trust and the Maryland Rules of Procedure including the payment of all expenses incident to the sale and such commissions to the said Trustee as the Court shall think proper to allow including those permitted or authorized by the Maryland Rules of Procedure; provided, that before the sale herein decreed shall be made, a statement of the indebtedness claimed to be due by the defendants to the plaintiffs, duly verified by affidavit, as required by law and the Maryland Rules of Procedure, be filed in this proceeding.

Lloyd L. Simpkins
Judge

CHANCERY No. 11,185

LIBER 048 PAGE 22

KNOW ALL MEN BY THESE PRESENTS, that we, Alexander G. Jones, of Somerset County and State of Maryland, and The Fidelity and Deposit Company of Maryland, a body corporate, are held and firmly bound unto the State of Maryland, in the full and just sum of sixty thousand dollars ($60,000.00), current money to be paid to the State of Maryland, or its certain attorney, to which payment well and truly to be made and done, we bind ourselves and each of us, our and each of our heirs, executors, administrators or assigns, jointly and severally, firmly by these presents, sealed with our seals and dated this 4th day of January, in the year nineteen hundred and eighty-two.

Whereas, by deed of trust dated August 30, 1978 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 309, folio 493 and by deed of trust dated August 15, 1980 and recorded among the aforesaid Land Records in Liber I.T.P. No. 323, folio 274, Harold R. White and Louise E. White, his wife, conveyed to Peninsula Bank certain real estate in Somerset County to secure the payment of the sum therein mentioned; and whereas, the said Alexander G. Jones, Substitute Trustee, for the purpose of foreclosure and collection of said deeds of trust, is authorized, upon default, to sell the property conveyed by said deeds of trust; and whereas, default has occurred in the terms and conditions of said deeds of trust and the said Alexander G. Jones is about to exercise the power of sale in said deeds of trust contained.

Now, therefore, the condition of the above obligation is such, that if the above bounden Alexander G. Jones, do and shall, well and faithfully perform the trust reposed in him by said deed of trust and shall abide and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of the said property or the proceeds thereof, then the above obligation, shall be void, otherwise to be and remain full force and virtue in law.

THE WITHIN BOND APPROVED
PER Theodore Phelps CLERK

_____ (SEAL)
Alexander G. Jones

FILED

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

Witness: Patsy E. Allen

JAN 5 1 53 PM '82

By _____
Attorney in Fact

RECORDED IN ITP
LIBER NO. 11 FOLIO 125
I. THEODORE J. PHELPS, CLK. CI. CT.
BY _____ DEPUTY

BOND BOOK 11 PAGE 125

Alexander G. Jones, Substitute Trustee: and Peninsula Bank	:	No. 11,185 Chancery
	:	In the Circuit Court for
Plaintiffs	:	Somerset County, Maryland
vs	:	
Harold R. White (deceased) Louise E. White	:	
Defendants	:	

To the Honorable, the Judge of said Court:

The report of sales of Alexander G. Jones, Substitute Trustee appointed by this Court by order dated October 29, 1981, of two deeds of trust made and executed by Harold R. White and Louise E. White, the first to Alexander G. Jones and Robert L. Taylor, Trustees, and Peninsula Bank dated August 30, 1978 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 309, folio 493, and the second to Alexander G. Jones and Hugh W. Mohler, Trustees, and Peninsula Bank dated August 15, 1980 and recorded among the aforesaid Land Records in Liber I.T.P. No. 323, folio 274, under and by virtue of the power of sale therein contained, default having been made in the payment of the money secured by said deeds of trust or in the payment of the interest thereon or in some other covenant and condition in said deeds of trust, whereby the said deeds of trust have become due and demandable, respectfully represents to your Honor, that after giving bond with security approved by the Clerk of this Court, or by one of the Judges thereof, for the faithful performance of the trust so as reposed in him as Substitue Trustee of said deeds of trust, and as required by law, and giving more than twenty days notice of the time, place, manner and terms of sale by advertising in the Marylander & Herald, a newspaper published weekly in Somerset County, once a week for at least three successive weeks before the day of sale, he did pursuant to said notice attend at the Court House steps in Princess Anne, Maryland, on the 5th day of January, 1982, at two o'clock P.M., and then and there proceed to sell the property described in said deeds of trust, to wit:

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

All those lots or parcels of land situate in Tangier Election District, Somerset County, Maryland, more particularly described as follows:

First: All those lots or parcels of land, situate as aforesaid, bounded on the north by the land of William A. White and Lillian Graham White, on the

east by the land of Mae France, and on the west by an improved public road, and described in 1896 as follows:

Lot 1: Beginning at the south corner of Samuel Jones' lot, indicated on the plat by the letter A, thence South 46° West 14 rods to the private road laid off on said lot or parcel of land, indicated on the plat by letter B, thence North 46° 30' West 17 1/10 rods to a bounder indicated by C, thence North 45° East 14 rods to the said Samuel Jones line at D, thence South 46° East 17 1/10 rods to the place of beginning, laid out for 1½ acres of arable land, more or less, being all of Lot 1 conveyed unto William R. White by Nellie H. Brattan by deed dated August 7, 1899, and recorded among the Land Records of Somerset County in Liber O.T.B. No. 26, folio 292, except so much thereof as was conveyed by the said William R. White, et al, to the State Roads Commission acting for the State of Maryland by the following deeds: (1) dated June 16, 1931, and recorded among the aforesaid Land Records in Liber No. 102, folio 158, (2) dated June 16, 1931 and recorded among the aforesaid Land Records in Liber No. 102, folio 166, (3) dated October 21, 1931 and recorded among the aforesaid Land Records in Liber No. 102, folio 170, (4) dated May 22, 1940 and recorded among the aforesaid Land Records in Liber No. 117, folio 275, and (5) dated May 22, 1940 and recorded among the aforesaid Land Records in Liber No. 117, folio 276.

Lot 2: Beginning at the end of the 3rd line of Lot No. 1, indicated on plat by D, thence South 45° West 14 rods to said private road at C, thence North 46° 30' West 17 1/10 rods to a bounder indicated on plat by letter E, thence North 45° West 14 rods to the said Samuel Jones' line at F, and thence 17 1/10 rods to the place of beginning, laid out for 1½ acres of arable land, more or less, being all of lot 2 conveyed unto the said William R. White by Nellie H. Brattan by the aforesaid deed, except .55 of an acre conveyed by Ada Marie White to William A. White and Lillian Graham White by deed dated July 1, 1954 and recorded among the aforesaid Land Records in Liber B.L.B. No. 164, folio 343, leaving .95 of an acre, more or less.

And being a part of the land which was devised unto the said Ada Marie White by will of William R. White, dated May 30, 1945 and recorded among the Testamentary Records of Somerset County in Liber F.E.D. No. 35, folio 510, and being the same and all the land which was conveyed unto the said Harold R. White and Louise E. White by the said Ada Marie White by deed dated May 18 , 1964 and recorded among the aforesaid Land Records in Liber I.T.P. No. 220, folio 619, the said Ada Marie White having reserved a life estate in said property and is now deceased.

Second: All that lot or parcel of land, situate as aforesaid, described in 1930 as adjoining the lands of Charles H. Price, P. J. Price, D. R. James and Dorothy H. Price, containing 4 acres, more or less, and being what is known as the Elisha W. Riggin property, and being the same and all the land which was conveyed unto the said Harold R. White by the said Ada Marie White by deed dated June 2, 1964 and recorded among the aforesaid Land Records in Liber I.T.P. No. 222, folio 458, the said Ada Marie White having reserved a life estate in said property and is now deceased.

And sold the property described in item First (Lot 1 and Lot 2) unto Peninsula Bank, a body corporate of the State of Maryland, at and for the sum of twenty thousand dollars ($20,000.00), it being then and there the highest bidder therefor, and sold the property described in item Second unto Peninsula Bank, a body corporate as aforesaid, at and for the sum of two thousand dollars ($2,000.00), it being then and there the highest bidder therefor, and the purchaser has complied with the terms of sale to the satisfaction of your trustee.

Respectfully submitted,

Substitute Trustee

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 5th day of January, 1982, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Alexander G. Jones, Substitute Trustee named in the aforegoing report of sale, and made oath in due form of law that the matters and things therein stated are true to the best of his knowledge and belief and that the sale therein reported was fairly made.

JANET T. ELLSWORTH NOTARY PUBLIC SOMERSET COUNTY, MD.

Notary Public

Jones & Jones
Attorneys at Law
Princess Anne, Md. 21853

LIBER 048 PAGE 26

ORDER NISI

Alexander G. Jones, Substitute Trustee: and Peninsula Bank	:	No. 11,185 Chancery In the Circuit Court for
vs	:	Somerset County, Maryland
Harold R. White (deceased) Louise E. White	:	

ORDERED by the Circuit Court for Somerset County, this 5th day of January, in the year nineteen hundred and eighty-two, that the sale of the property mentioned in these proceedings made and reported by Alexander G. Jones, Substitute Trustee in the above proceeding, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 4th day of February, 1982, provided a copy of this Order be inserted in some newspaper published in Somerset County once in each of three successive weeks f before the 1st day of February, 1982.

The report states the amount of sale to be $22,000.00.

L. Theodore Phoebus
Clerk of the Circuit Court
for Somerset County, Maryland

Alexander G. Jones, Substitute Trustee: and Peninsula Bank	:	No. 11,185 Chancery In the Circuit Court for
vs	:	Somerset County, Maryland
Harold R. White (deceased) Louise E. White	:	

ORDERED by the Circuit Court for Somerset County, in Equity, this 9th day of Feb., in the year nineteen hundred and eighty-two, that the sale of the real estate mentioned in these proceedings made and reported by Alexander G. Jones, Substitute Trustee of said deed of trust, be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown although due notice appears to have been given as required by the Order Nisi passed in said cause.

Lloyd L. Simpkins
Judge

Alexander G. Jones, Substitute Trustee and Peninsula Bank Plaintiffs	:	No. 11, 185 Chancery
	:	In the Circuit Court for
vs	:	Somerset County, Maryland
Harold R. White (deceased) Louise E. White Defendants	:	

PURCHASER'S AFFIDAVIT

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 5th day of January, 1982, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Victor H. Dryden, agent of Peninsula Bank, the purchaser of the real estate in the above entitled proceeding, and made oath in due form of law:

1. That in making said purchase he was not acting as agent for anyone, except as set forth above.

2. That others interested in said purchase, as principals, are none.

3. That he did not directly or indirectly discourage anyone from bidding for said property.

As witness my hand and Notarial Seal the day and year above written.

JANET T. AYDSWORTH NOTARY PUBLIC SOMERSET COUNTY, MD.

Notary Public

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

Jones & Jones
Attorneys at Law
Princess Anne, Md. 21853

ORDER NISI

ALEXANDER G.
JONES, Substitute Trustee
and
PENINSULA BANK

vs.

HAROLD R. WHITE
(deceased)
LOUISE E. WHITE

NO. 11,185 CHANCERY

IN THE
CIRCUIT COURT FOR
SOMERSET COUNTY,
MARYLAND

ORDERED by the Circuit Court for Somerset County, this 5th day of January, in the year nineteen hundred and eighty-two, that the sale of the property mentioned in these proceedings made and reported by Alexander G. Jones, Substitute Trustee in the above proceeding, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 4th day of February, 1982, provided a copy of this Order be inserted in some newspaper published in Somerset County once in each of three successive weeks before the 1st day of February, 1982.

The report states the amount of sale to be $22,000.00.

I. THEODORE PHOEBUS
Clerk of the
Circuit Court for
SOMERSET County,
Maryland

TRUE COPY, TEST:
I. Theodore Phoebus, Clerk

3 tc 1/7/82

LIBER 048 PAGE 28

PRINCESS ANNE, MD., Jan 5 1982

This is to certify that the annexed Order Nisi has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order Nisi

Dates Inserted: Jan 7, 14, 21 1982

J. Bryan Byrd
Business Manager MARYLANDER and HERALD

Alexander G. Jones, Substitute Trustee: and Peninsula Bank Plaintiffs	:	No. 11,185 Chancery In the Circuit Court for Somerset County, Maryland
vs	:	
Harold R. White (deceased) Louise E. White Defendants	:	

AFFIDAVIT AS TO NOTICE OF DELIVERY

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 9th day of February, in the year nineteen hundred and eighty-two, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Alexander G. Jones, pursuant to the provisions of Rule W-74 a 2 (c) and made oath in due form of law that he was and is Substitute Trustee for the purpose of foreclosure and collection of the deeds of trust in the above entitled proceeding, that by letter dated December 30, 1981 pursuant to said rule he mailed a notice of the pending foreclosure proceeding to Louise E. White, Chance, Mayland 21816 (Post Office Receipt No. P33 9041113) by certified mail, that neither the original letter nor the return receipt have been returned by the U.S. Post Office; that members of the family of Louise E. White were present at the sale and your Trustee has reason to believe Mrs. White was aware of the foreclosure proceeding.

The post office receipt and a copy of the original notice are attached hereto to be filed in this proceeding.

As witness my hand and Notarial Seal the day and year above written.

Patsy E. Ake
Notary Public

Alexander G. Jones

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

EDGAR A. JONES (1892-1972)
ALEXANDER G. JONES
CHARLES A. BRUCE, JR.

AREA CODE 301
TELEPHONE 651-2747

December 30, 1981

LIBER 048 PAGE 30

Mrs. Louise E. White
Chance, Maryland 21816

Dear Mrs. White:

Pursuant to Rule W-74 a 2 (c), this is to inform you that proceedings have been filed in No. 11,185 Chancery in the Circuit Court for Somerset County, Maryland, for the foreclosure of two certain deeds of trust from Harold R. White and Louise E. White to Peninsula Bank, the first dated August 30, 1978 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 309, folio 493 and the second dated August 15, 1980 and recorded among the aforesaid Land Records in Liber I.T.P. No. 323, folio 274. The foreclosure sale is currently being advertised in the Marylander & Herald, a newspaper published weekly in Somerset County, Maryland. The property described in the deeds of trust will be offered for sale at 2:00 P.M. on Tuesday, January 5, 1982 on the Court House steps in Princess Anne, Maryland. Terms of Sale: Cash, certified or cashier's check payable to Alexander G. Jones, Substitute Trustee, in an amount equal to at least one-third of the bid, the balance to be due and payable on or before ratification of the sale by the Circuit Court, with interest at sixteen per cent on the unpaid balance. Title papers, documentary stamps, transfer tax, recording costs, agricultural transfer tax, if any, at expense of purchaser. State and County taxes will be prorated and adjusted as of the date of ratification of sale. A copy of the advertisement is enclosed.

COPY

Very truly yours,

Alexander G. Jones
Substitute Trustee

AGJ:pea

Enclosure

Certified mail - Return Receipt Requested

P33 904113

RECEIPT FOR CERTIFIED MAIL
NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO
Mrs. Louise E. White
STREET AND NO.
Chance, Maryland 21816
P.O., STATE AND ZIP CODE

POSTAGE	$ .20
CERTIFIED FEE	1.35
SPECIAL DELIVERY	¢
RESTRICTED DELIVERY	¢
SHOW TO WHOM AND DATE DELIVERED	¢
SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	¢
SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	¢
SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	¢
TOTAL POSTAGE AND FEES	$

CONSULT POSTMASTER FOR FEES
OPTIONAL SERVICES
RETURN RECEIPT SERVICE

POSTMARK OR DATE

PS Form 3800, Apr. 1976

Alexander G. Jones, Substitute Trustee	*	NO. 11,185 CHANCERY
	*	IN THE CIRCUIT COURT
and		
	*	FOR SOMERSET COUNTY
Peninsula Bank		
	*	STATE OF MARYLAND
vs.		
	*	
Harold R. White (deceased)		
Louise E. White	*	
	*	

FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this court, reports that he made an examination of the proceedings in the above entitled cause and from them and the list of expenses furnished him therein, states the following Account:

Amount of Sale			$ 22,000.00
Fees, Costs, Expenses, etc.:			
I. Theodore Phoebus, Clerk		$128.00	
Jones and Jones, Bond Premium		240.00	
Marylander and Herald		312.50	
Advertising	277.50		
Order Nisi	35.00		
Pete Richardson, Auctioneer		125.00	
Personal Property Taxes		74.77	
State and County Taxes		294.42	
Trustee's Commission per agreement		750.00	
Attorney's fee per Deed of Trust		100.00	
Logan C. Widdowson, Auditor		50.00	
Patsy Ake, Notary Fees		6.00	
Jones & Jones Postage		1.55	
Total Fees, Costs, Expenses, Etc.		$2,082.24	
Balance to be Distributed			$ 19,917.76
Debts: First Deed of Trust			
Principal plus interest from 10/27/81		$23,240.54	
Second Deed of Trust			
Principal plus interest from 10/27/81		35,667.97	
Total Debt		$58,908.51	
Deficit plus interest as set forth in both deeds of trust from 10/27/81			$ 38,990.75

ALL EXCEPTIONS to said report must be filed within fifteen (15) days of the date of filing; if no exceptions are filed, the Account may be ratified.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing on the date of the filing of the Audit notice of this report to the following parties by regular U.S. mail, postage prepaid:

Law Office of Jones & Jones
311 South Somerset Avenue
Princess Anne, MD 21853

Louise White
Chance, MD 21816

Estate of Harold White
Chance, MD 21816

Logan C. Widdowson, Auditor

Date Filed: April 6, 1982

LOGAN C. WIDDOWSON
ATTORNEY AT LAW
NORTH SOMERSET AVENUE
PRINCESS ANNE, MD. 21853
651-3800

LCW/gm
81 # 110

No. 11,185 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 6th day of April, 19 82 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the 21st day of April, 19 82.

J. Theodore Phoebus
CLERK

No exceptions having been filed, and no cause to the contrary having been shown, IT IS ORDERED by the Circuit Court for Somerset County, in Equity, this 23rd day of April, 19 82 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

J. Theodore Phoebus
CLERK

END

DEC 23 1982

MAY -5-81 B 025298D*****10.00
MAY -5-81 B 025297D*****60.00

Alexander G. Jones, Assignee for the purpose of foreclosure and collection of a mortgage from J. Bryan Byrd and Carolyn E. Byrd, his wife, to The Federal Land Bank of Baltimore	:	No. 11076 Chancery In the Circuit Court for Somerset County, Maryland

Mr. Clerk:

Please record the assignment of the above entitled mortgage, docket the above entitled suit and file the original mortgage among the papers therein.

Alexander G. Jones, Assignee
311 S. Somerset Avenue
Princess Anne, Maryland 21853
Telephone: 651-2747

FOR MORTGAGE SEE LIBER ITP NO. 315, FOLIO 829.

FOR ASSIGNMENT SEE LIBER ITP NO. 327, FOLIO 251

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

FILED
MAY 5 12 16 PM '81

LIBER 048 PAGE 34

STATEMENT OF MORTGAGE DEBT

J. Bryan Byrd
Loan No. 2218923-1
Assn/Br. 532-3

Unmatured Balance as of 5-1-81	$95,641.51
Accrued interest thru 4-30-81	—
Delinquencies:	
Monthly installments past due	13,081.96
Default Interest @ 16% thru 4-30-81	698.20
TOTAL DEBT AS OF 5/1/81	$109,421.67

Plus per diem interest of $37.694707 for each day thereafter

STATE OF MARYLAND

COUNTY OF BALTIMORE, SS:

Before me, Jean V. Bowen, a Notary Public of the State of Maryland, personally appeared R. A. Chaffinch, known to me to be the Vice President of The Federal Land Bank of Baltimore who being duly sworn, states under oath that he has knowledge that the foregoing amounts of indebtedness are true and correct and represent the sums due under the terms of the mortgage and note to the best of his knowledge, information and belief.

R. A. Chaffinch, Vice President

Sworn and subscribed to me before me this 30th day of April, 1981.

Jean V. Bowen, Notary Public
Baltimore, Maryland
My commission expires 7/1/82.

Alexander G. Jones, Assignee for the purpose of foreclosure and collection of a mortgage from J. Bryan Byrd and Carolyn E. Byrd, his wife, to The Federal Land Bank of Baltimore	:	No. 11076 Chancery In the Circuit Court for Somerset County, Maryland

PETITION OF ASSIGNEE FOR SUPPLEMENTAL
ADVERTISEMENT OF SALE OF MORTGAGED PREMISES

To the Honorable, the Judge of said Court:

The petition of Alexander G. Jones, Assignee, respectfully represents:

1. That he is the Assignee for purposes of foreclosure and collection of a certain mortgage from J. Bryan Byrd and Carolyn E. Byrd to The Federal Land Bank of Baltimore dated August 17, 1979 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 315, folio 829 and filed for foreclosure in this proceeding.

2. That Rule W74 a 2.(b) provides in part as follows: "Before making a sale of mortgaged property, the person authorized to make such sale shall give notice of the time, place and terms thereof by advertisement in some newspaper published in the county where the mortgaged property, or some portion thereof is located, if there be one so published and, if not, in a newspaper having a substantial circulation in said county. . ."

3. That your petitioner intends to give the required notice in the Crisfield Times, a newspaper published weekly in Somerset County, Maryland.

4. That the Crisfield Times has a limited circulation and your petitioner asserts that it would be to the advantage of both the mortgagors and the mortgagee that an abbreviated advertisement of sale in the form attached hereto as Petitioner's Exhibit A be published in the Salisbury (Maryland) Daily Times, a daily newspaper having a large circulation in the Maryland, Virginia and Delaware area.

5. That the mortgagee, at the suggestion of the petitioner, has requested and authorized this supplemental advertisement.

WHEREFORE, your petitioner prays an order of this court authorizing him to give notice of the time, place and terms of sale of the mortgaged property in the form set forth on the attached Exhibit in the Salisbury Daily Times,

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

said advertisement to be published not more than four times at weekly intervals, the cost thereof to be added to the other costs in this proceeding.

Alexander G. Jones, Assignee

I do hereby solemnly declare and affirm under the penalties of perjury that the information and representations contained in the foregoing petition are true and correct according to my knowledge, information and belief.

Alexander G. Jones, Assignee

ORDER

The aforegoing petition of Alexander G. Jones, Assignee, having been read and considered and the Court having determined that it would be to the advantage of the mortgagors and the mortgagee to grant the relief requested, it is hereby ORDERED this 5th day of May, 1981, by the Circuit Court for Somerset County that Alexander G. Jones, Assignee, be and he is hereby authorized to give notice of the time, place and terms of sale of the mortgaged property in substantially the form set forth in petitioner's exhibit to be published in the Salisbury Daily Times not more than four times at weekly intervals prior to the date of sale, the cost thereof to be added to the costs in this proceeding.

Lloyd L. Simpkins
Judge

Petit er's Exhibit A

Jones & Jones
Attorneys at Law
Princess Anne, Md.

ASSIGNEE'S SALE
OF
VALUABLE POULTRY FARM
AND IMPROVEMENTS

The undersigned Assignee will offer for sale at public auction on Tuesday, June 9, 1981 at 2:00 o'clock P.M. at the Court House steps in Princess Anne, Maryland, all that tract of land or farm in Brinkleys Election District, Somerset County, Maryland, on the south and west side of the county road known as Green Road, consisting of three adjacent parcels of land described on surveys of record as containing 30.43 acres, more or less, improved by a three story frame residence, garage, machine shed and six broiler houses including automatic feeders, bulk bins, fans, gas stoves and water troughs, all in fair condition. The land of 30.43 acres includes 13 acres,more or less, of crop land with Othello soil, adequate drainage, and good fertility.

Terms of Sale: Cash, certified or cashier's check payable to Alexander G. Jones, Assignee, in the amount of $25,000.00 payable at time of sale, the balance to be due and payable within thirty days with interest at sixteen per cent on the unpaid balance or sooner at the option of purchaser and to be secured to the satisfaction of the Assignee. Title papers, documentary stamps, transfer tax, recording costs, etc. at expense of purchaser. State and county taxes will be prorated and adjusted as of date of ratification of sale.

For further description and details see the advertisement published in the Crisfield Times of Crisfield,Maryland, published every Friday in May 1981 or contact the undersigned Assignee, or E. Philip Whitman at 957-1181, or Pete Richardson, Auctioneer.

Pete Richardson, Auctioneer
546-2425

Alexander G. Jones, Assignee
651-2747

LIBER 048 PAGE 38

Alexander G. Jones, Assignee for the purpose of foreclosure and collection of a mortgage from J. Bryan Byrd and Carolyn E. Byrd, his wife, to The Federal Land Bank of Baltimore	:	No. 11,076 Chancery
	:	In the Circuit Court for
	:	Somerset County, Maryland

AFFIDAVIT AS TO NOTICE OF DELIVERY

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 22nd day of May, in the year nineteen hundred and eighty-one, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Alexander G. Jones, pursuant to the provisions of Rule W-74 a 2 (c) and made oath in due form of law that he was and is Assignee for the purpose of foreclosure and collection of the mortgage in the above entitled proceeding filed for foreclosure and collection, that on May 20, 1981 pursuant to said rule he mailed a notice of the pending foreclosure proceeding to J. Bryan Byrd, P. O. Box 159, Princess Anne, Maryland 21853 (Post Office Receipt No. 3704087) by certified mail which was received and accepted on May 21, 1981 by Wanda Marshall (authorized agent of Bryan Byrd); and on May 20, 1981 he mailed a notice of the pending foreclosure to Carolyn E. Byrd, P. O. Box 159, Princess Anne, Maryland 21853 (Post Office Receipt No. 3704088) by certified mail which was received and accepted on May 21, 1981 by Wanda Marshall (authorized agent of Carolyn E. Byrd).

The aforesaid post office receipts, and a copy of the original notice are attached hereto to be filed in this proceeding.

As witness my hand and Notarial Seal the day and year above written.

Patsy E. Abbott
Notary Public

Alexander G. Jones

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

EDGAR A. JONES (1892-1972)
ALEXANDER G. JONES

CHARLES A. BRUCE, JR.

AREA CODE 301
TELEPHONE 651-2747

May 20, 1981

Mr. J. Bryan Byrd
P.O. Box 159
Princess Anne, Maryland 21853

Mrs. Carolyn E. Byrd
P.O. Box 159
Princess Anne, Maryland 21853

Dear Mr. and Mrs. Byrd:

COPY

Pursuant to Rule W-74 a 2 (c), this is to inform you that proceedings have been filed in No. 11,076 Chancery in the Circuit Court for Somerset County, Maryland, for the foreclosure of a certain mortgage from J. Bryan Byrd and Carolyn E. Byrd to The Federal Land Bank of Baltimore dated August 17, 1979 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 315, folio 829. The foreclosure sale is currently being advertised in The Crisfield Times, a newspaper published weekly in Somerset County, Maryland. The property described in the mortgage will be offered for sale at 2:00 P.M. on Tuesday, June 9, 1981 on the Court House steps in Princess Anne, Maryland. Terms of Sale: Cash, certified or cashier's check payable to Alexander G. Jones, Assignee, in the amount of $25,000 payable at time of sale, the balance to be due and payable within thirty days with interest at sixteen per cent on the unpaid balance or sooner at the option of purchaser to be secured to the satisfaction of the Assignee. Title papers, documentary stamps, transfer tax, recording costs, etc. at expense of purchaser. State and County taxes will be prorated and adjusted as of date of ratification of sale. A copy of the advertisement is enclosed.

Very truly yours,

Alexander G. Jones
Assignee

AGJ:pea

FILED

Certified Mail - Return Receipt Requested

MAY 25 11 20 AM '81

RECORDED IN
LIBER NO. FOLIO
I.T.H. CIRCUIT COURT CLERK
BY DEPUTY

LIBER 048 PAGE 39

LIBER C48 PAGE 40

PS Form 3811, Jan. 1979

SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN" space on reverse.

1. The following service is requested (check one.)
- ☐ Show to whom and date delivered.....¢
- ☐ Show to whom, date and address of delivery....¢
- ☐ RESTRICTED DELIVERY
  Show to whom and date delivered.....¢
- ☐ RESTRICTED DELIVERY.
  Show to whom, date, and address of delivery.$____

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Mr. J. Bryan Byrd
P.O. Box 159
Princess Anne, Md. 21853

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	3704087	

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐Addressee ☑Authorized agent

4. Wanda Marshall
DATE OF DELIVERY 5-21-81
POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:
CLERK'S INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

☆GPO : 1979-288-848

P03 3704087

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO
Mr. J. Bryan Byrd
STREET AND NO.
P.O. Box 159
P.O., STATE AND ZIP CODE
Princess Anne, Md. 21853

POSTAGE		$
CERTIFIED FEE		¢
SPECIAL DELIVERY		¢
RESTRICTED DELIVERY		¢
RETURN RECEIPT SERVICE: SHOW TO WHOM AND DATE DELIVERED		¢
RETURN RECEIPT SERVICE: SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY		¢
RETURN RECEIPT SERVICE: SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY		¢
RETURN RECEIPT SERVICE: SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY		¢
TOTAL POSTAGE AND FEES		$
POSTMARK OR DATE		

CONSULT POSTMASTER FOR FEES — OPTIONAL SERVICES — RETURN RECEIPT SERVICE

PS Form 3800, Apr. 1976

PRINCESS ANNE, MD. MAY 20 1981 USPO

PS Form 3811, Jan. 1979

SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN" space on reverse.

1. The following service is requested (check one.)
- ☐ Show to whom and date delivered.....¢
- ☐ Show to whom, date and address of delivery....¢
- ☐ RESTRICTED DELIVERY
  Show to whom and date delivered.....¢
- ☐ RESTRICTED DELIVERY.
  Show to whom, date, and address of delivery.$____

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Mrs. Carolyn E. Byrd
P.O. Box 159
Princess Anne, Md. 21853

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	3704088	

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐Addressee ☑Authorized agent

4. Wanda Marshall
DATE OF DELIVERY 5-21-81
POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:
CLERK'S INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

☆GPO : 1979-288-848

P03 3704088

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO
Mrs. Carolyn E. Byrd
STREET AND NO.
P.O. Box 159
P.O., STATE AND ZIP CODE
Princess Anne, Md. 21853

POSTAGE		$
CERTIFIED FEE		¢
SPECIAL DELIVERY		¢
RESTRICTED DELIVERY		¢
RETURN RECEIPT SERVICE: SHOW TO WHOM AND DATE DELIVERED		¢
RETURN RECEIPT SERVICE: SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY		¢
RETURN RECEIPT SERVICE: SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY		¢
RETURN RECEIPT SERVICE: SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY		¢
TOTAL POSTAGE AND FEES		$
POSTMARK OR DATE		

CONSULT POSTMASTER FOR FEES — OPTIONAL SERVICES — RETURN RECEIPT SERVICE

PS Form 3800, Apr. 1976

PRINCESS ANNE, MD. MAY 20 1981 USPO

Alexander G. Jones, Assignee for the purpose of foreclosure and collection of a mortgage from J. Bryan Byrd and Carolyn E. Byrd, his wife, to The Federal Land Bank of Baltimore	:	No. 11,076 Chancery
	!	In the Circuit Court for
	:	Somerset County, Maryland

REPORT OF ASSIGNEE

To the Honorable, the Judge of said Court:

The sale at public auction of the property described in these proceedings was cancelled because the Mortgagors filed a voluntary petition for bankruptcy in Case #81-2-1556-L in the United States District Court for the District of Maryland on June 5, 1981, immediately prior to the scheduled date of sale.

Proceedings are now pending in the Bankruptcy Court.

Respectfully submitted,

Alexander G. Jones, Assignee

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

FILED
JUN 25 11 3 AM '81

LIBER 048 PAGE 42

Jones & Jones
Attorneys at Law
Princess Anne, Md.

ASSIGNEE'S SALE
Of Valuable Poultry
Farm And
Improvements

The undersigned Assignee will offer for sale at public auction on Tuesday, June 9, 1981 at 2:00 o'clock P.M. at the Court House steps in Princess Anne, Maryland, all that tract of land or farm in Brinkleys Election District, Somerset County, Maryland, on the south and west side of the county road known as Green Road, consisting of three adjacent parcels of land described on surveys of record as containing 30.43 acres, more or less, improved by a three story frame residence, garage, machine shed and six broiler houses including automatic feeders, bulk bins, fans, gas stoves and water troughs, all in fair condition. The land of 30.43 acres includes 13 acres, more or less, of crop land with Othello soil, adequate drainage, and good fertility.

Terms of Sale: Cash, certified or cashier's check payable to Alexander G. Jones, Assignee, in the amount of $25,000.00 payable at time of sale, the balance to be due and payable within thirty days with interest at sixteen per cent on the unpaid balance or sooner at the option of purchaser and to be secured to the satisfaction of the Assignee. Title papers, documentary stamps, transfer tax, recording costs, etc. at expense of purchaser. State and county taxes will be prorated and adjusted as of date of ratification of sale.

For further description and details see the advertisement published in the Crisfield Times of Crisfield, Maryland, published every Friday in May 1981 or contact the undersigned Assignee, or E. Philip Whitman at 957-1181, or Peter Richardson, Auctioneer.

Auctioneer:
Pete Richardson
301-546-2425

Alexander G. Jones
Assignee
301-651-2747

5/18,25,6/1,8

CERTIFICATE OF PUBLICATION

Salisbury, Md. June 8, 1981

We hereby certify that the annexed

Assignee's Sale - Poultry Farm was published in

THE DAILY TIMES on May 28, 25, June 1, 8

Thomson Newspapers, Inc.
Publishers of The Daily Times

CRISFIELD, MD. June 10 81 19

Notice

THIS is to certify that the annexed _____ has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said _____ for 4 weeks beginning with the issue of May 14, 19 81 and ending June 4, 19 81

William A. Martin Jr.
Publisher, THE CRISFIELD TIMES

Jones and Jones
Attorneys At Law
Princess Anne, Md.

Assignee's Sale Of Valuable Poultry Farm And Improvements

Under and by virtue of the power of sale contained in a mortgage from J. Bryan Byrd and Carolyn E. Byrd dated August 17, 1979 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 315, follo 829; default having occurred in said mortgage, the undersigned as assignee for the purpose of foreclosure of said mortgage, will offer at public sale on the Court House steps in Princess Anne, Maryland, on

Tuesday
June 9, 1981

at or about the hour of 2:00 o'clock P.M., all those tracts or parcels of land situate in Brinkleys Election District, Somerset County, Maryland, more particularly described as follows:

First: All that tract or parcel of land, situate as aforesaid, lying and blinding on the south side and on the west side of the county road known as Green Road and bounded on the west side of the county road known as Green Road and bounded on the west and south by the land of Whittington's Poultry Farms, Inc. (now Whittington Farms, Inc.), being more particularly described as containing 16.68 acres, more or less, accurately laid down and described on a plat prepared by P.J. Hannon Associates, dated April 1971 (File P493) and recorded among the Land Records of Somerset County in Plat Book I.T.P. No. 8, folio 54.

Second: All that lot or parcel of land, situate as aforesaid, beginning at a concrete post at the curve of the county road at the northernmost corner of item First above as shown on the aforesaid plat by P.J. Hannon Associates, and containing 4.07 acres, more or less, accurately laid down and described as Paroel One on a plat prepared by G. Oliver Morrell, Registered Surveyor, dated October 21, 1974 and recorded among the aforesaid Land Records in Plat Book I.T.P. No. 9, folio 82 (File L-507).

Third: All that lot or parcel of land, situate as aforesaid, and adjoining item First and containing 9.68 acres of land, more or less, accurately laid down and described as Parcel No. 2 on the aforesaid plat by G. Oliver Morrell.

The tracts of land above described contain in the aggregate 30.43 acres of land, more or less, being the same land conveyed unto J. Bryan Byrd and Carolyn E. Byrd by Philip S. Bethard and Carol C. Bethard, his wife, by deed dated August 17, 1979 and recorded among thte aforesaid Land Records in Liber I.T.P. No. 315, folio 824.

This property is improved by a three story frame residence, garage, machine shed and six broiler houses, all in fair condition, and including, as described in said mortgage, automatic feeders, bulk bins, fans, gas stoves and water troughs.

The land of 30.43 acres includes 13 acres, more or less, of crop land with Othello soil, adequate drainage, and good fertility.

TERMS OF SALE: Cash, certified or cashier's check payable to Alexander G. Jones, Assignee, in the amount of $25,000.00 payable at time of sale, the balance to be due and payable within thirty days with interest at sixteen per cent on the umpaid balance or sooner at the option of purchaser and to be secured to the satisfaction of the Assignee. Title papers, documentary stamps, transfer tax, recording costs, etc. at expense of purchaser. State and County taxes will be prorated and adjusted as of date of ratification of sale.

For further details contact the undersigned Assignee, or E. Philip Whitman at 957--1181, or Pete Richardson, Auctioneer.

Alexander G. Jones,
Assignee
301-651-2747
Pete Richardson
Auctioneer
301-546-2425

5-14-4t

LIBER 048 PAGE 43

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

EDGAR A. JONES (1892-1972)
ALEXANDER G. JONES
CHARLES A. BRUCE, JR.

AREA CODE 301
TELEPHONE 651-2747

November 2, 1981

LIBER 048 PAGE 44

Clerk of the Circuit Court for Somerset County
Court House
Princess Anne, Maryland 21853

Re: Alexander G. Jones, Assignee for the purpose of foreclosure and collection of a mortgage from J. Bryan Byrd and Carolyn E. Byrd, his wife, to The Federal Land Bank of Baltimore
No. 11,076 Chancery

Dear Mr. Clerk:

You are requested to file in the above entitled proceeding the enclosed copy of the "Consent Order" of Judge Harvey M. Lebowitz dated October 16, 1981 filed in Bankruptcy No. 81-2-1556, Adversary No. 81-0838 in the United States Bankruptcy Court for the District of Maryland.

Very truly yours,

Alexander G. Jones

AGJ:pea

Enclosure

No. 11,076 Chancery

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MARYLAND

In re: J. BRYAN BYRD and CAROLYN E. BRYD, his wife, Debtors	Bankruptcy No. 81-2-1556
THE FEDERAL LAND BANK OF BALTIMORE Plaintiff vs. J. BRYAN BYRD and CAROLYN E. BYRD, his wife and KEVIN PATRICK O'DONNELL, TRUSTEE Defendants	Adversary No. 81-0838

CONSENT ORDER

Having received consent to Lift the Stay by Dirk W. Widdowson, Attorney for Debtors, J. Bryan Byrd and Carolyn E. Byrd, his wife, and Kevin Patrick O'Donnell, Trustee, it is this 16th day of October, 1981, hereby ORDERED that the Prayer requested in the Complaint to Lift Stay of Foreclosure by The Federal Land Bank of Baltimore is hereby granted, and the said Plaintiff may proceed to foreclosure upon the condition that the Plaintiff file in this Court a detailed Report of Sale of the said property as requested by the said Trustee herein.

Henry M. Rebont
Judge

CONSENTED TO:

K. Patrick O'Donnell
KEVIN PATRICK O'DONNELL
Trustee in Bankruptcy

RECEIVED OCT 14 1981

Alexander G. Jones, Assignee for the purpose of foreclosure and collection of a mortgage from J. Bryan Byrd and Carolyn E. Byrd, his wife, to The Federal Land Bank of Baltimore	:	No. 11,076 Chancery In the Circuit Court for Somerset County, Maryland

AFFIDAVIT AS TO NOTICE OF DELIVERY

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 17th day of November, 1981, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Alexander G. Jones, pursuant to the provisions of Rule W-74 a 2 (c) and made oath in due form of law that he was and is Assignee for the purpose of foreclosure and collection of the mortgage in the above entitled proceeding filed for foreclosure and collection, that on November 13, 1981 pursuant to said rule he mailed a notice of the pending foreclosure proceeding to J. Bryan Byrd, P.O. Box 159, Princess Anne, Maryland 21853 (Post Office Receipt No. 9041092) by certified mail which was received and accepted on November 14, 1981 by Lois Byrd (authorized agent of J. Bryan Byrd); and on November 13, 1981 he mailed a notice of the pending foreclosure to Carolyn E. Byrd, P.O. Box 159, Princess Anne, Maryland 21853 (Post Office Receipt No. 9041093) by certified mail which was received and accepted on November 14, 1981 by Lois Byrd (authorized agent of Carolyn E. Byrd).

The aforesaid post office receipts and a copy of the original notice are attached hereto to be filed in this proceeding.

As witness my hand and Notarial Seal the day and year above written.

Patsy E. Aiken
Notary Public

Alexander G. Jones

NOTARY PUBLIC
PATSY E. AIKEN
SOMERSET COUNTY, MD.

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

EDGAR A. JONES (1892-1972)
ALEXANDER G. JONES
CHARLES A. BRUCE, JR.

AREA CODE 301
TELEPHONE 651-2747

November 12, 1981

Mr. J. Bryan Byrd
P. O. Box 159
Princess Anne, Maryland 21853

Mrs. Carolyn E. Byrd
P. O. Box 159
Princess Anne, Maryland 21853

Dear Mr. and Mrs. Byrd:

COPY

Pursuant to Rule W-74 a 2 (c), this is to inform you that proceedings have been filed in No. 11,076 Chancery in the Circuit Court for Somerset County, Maryland, for the foreclosure of a certain mortgage from J. Bryan Byrd and Carolyn E. Byrd to The Federal Land Bank of Baltimore dated August 17, 1979 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 315, folio 829. The foreclosure sale is currently being advertised in The Crisfield Times, a newspaper published weekly in Somerset County, Maryland. The property described in the mortgage will be offered for sale at 2:00 P.M. on Tuesday, December 1, 1981 on the Court House steps in Princess Anne, Maryland. Terms of Sale: Cash, certified or cashier's check payable to Alexander G. Jones, Assignee, in the amount of $25,000.00 payable at time of sale, the balance to be due and payable within thirty days with interest at sixteen per cent on the unpaid balance or sooner at the option of purchaser to be secured to the satisfaction of the Assignee. Title papers, documentary stamps, transfer tax, recording costs, etc. at expense of purchaser. State and County taxes will be prorated and adjusted as of date of ratification of sale. A copy of the advertisement is enclosed.

Very truly yours,

Alexander G. Jones, Assignee

AGJ:pea

Certified Mail - Return Receipt Requested

FILED
NOV 17 3 47 PM '81
RECORDED IN FOLIO
LIBER
J. THEODORE MARDOCK, CLERK
BY DEPUTY

LIBER 048 PAGE 48

P33 9041092

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO
Mr. J. Bryan Byrd
STREET AND NO.
P.O. Box 159
P.O., STATE AND ZIP CODE
Princess Anne, Md. 21853

POSTAGE	$ 20
CERTIFIED FEE	75 ¢
SPECIAL DELIVERY	¢
RESTRICTED DELIVERY	¢
SHOW TO WHOM AND DATE DELIVERED	60 ¢
SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	¢
SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	¢
SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	¢
TOTAL POSTAGE AND FEES	$ 155
POSTMARK OR DATE	PRINCESS ANNE, MD. NOV 13 1981 USPO

CONSULT POSTMASTER FOR FEES — OPTIONAL SERVICES — RETURN RECEIPT SERVICE

PS Form 3800, Apr. 1976

P33 9041093

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO
Mrs. Carolyn E. Byrd
STREET AND NO.
P.O. Box 159
P.O., STATE AND ZIP CODE
Princess Anne, Md. 21853

POSTAGE	$ 20
CERTIFIED FEE	75 ¢
SPECIAL DELIVERY	¢
RESTRICTED DELIVERY	¢
SHOW TO WHOM AND DATE DELIVERED	60 ¢
SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	¢
SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	¢
SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	¢
TOTAL POSTAGE AND FEES	$ 155
POSTMARK OR DATE	PRINCESS ANNE, MD. NOV 13 1981 USPO

CONSULT POSTMASTER FOR FEES — OPTIONAL SERVICES — RETURN RECEIPT SERVICE

PS Form 3800, Apr. 1976

PS Form 3811, Jan. 1978

SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)
- ☐ Show to whom and date delivered.....¢
- ☐ Show to whom, date and address of delivery.....¢
- ☐ RESTRICTED DELIVERY
  Show to whom and date delivered.....¢
- ☐ RESTRICTED DELIVERY.
  Show to whom, date, and address of delivery.$____

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
J. Bryan Byrd
P.O. Box 159
Princess Anne, Md. 21853

3. ARTICLE DESCRIPTION:
REGISTERED NO. | CERTIFIED NO. 9041092 | INSURED NO.

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐Addressee ☑Authorized agent
Louis A Byrd

4. DATE OF DELIVERY 11-14-81 | POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: | CLERK'S INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

☆GPO : 1979-283-848

PS Form 3811, Jan. 1978

SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)
- ☐ Show to whom and date delivered.....¢
- ☐ Show to whom, date and address of delivery.....¢
- ☐ RESTRICTED DELIVERY
  Show to whom and date delivered.....¢
- ☐ RESTRICTED DELIVERY.
  Show to whom, date, and address of delivery.$____

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Mrs. Carolyn E. Byrd
P.O. Box 159
Princess Anne, Md. 21853

3. ARTICLE DESCRIPTION:
REGISTERED NO. | CERTIFIED NO. 9041092 | INSURED NO.

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐Addressee ☑Authorized agent
Louis A Byrd

4. DATE OF DELIVERY 11-14-81 | POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: | CLERK'S INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

☆GPO : 1979-283-848

No. 11,076 Chancery

Fidelity and Deposit Company

HOME OFFICE OF MARYLAND *BALTIMORE, MD. 21203*

Bond No. 607 22 82

KNOW ALL MEN BY THESE PRESENTS:

That we, Alexander G. Jones and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a body corporate, duly incorporated under the laws of the State of Maryland, as Surety, are held and firmly bound unto the State of Maryland, in the full and just sum of One hundred twenty thousand and 00/100----($120,000.00) Dollars, to be paid to the said State or its certain Attorney, to which payment well and truly to be made, we bind ourselves, and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents.

Sealed with our seals and dated this 16th day of November in the year of our Lord one thousand nine hundred and eighty-one

WHEREAS, the above bounden Alexander G. Jones by virtue of a decree of the Honorable the Judge of the Circuit Court of Somerset County has been appointed Trustee to sell certain property

mentioned in the proceedings in the case of The Federal Land Bank of Baltimore

vs:

J. Bryan Byrd and Carolyn E. Byrd

now pending in said Court:

NOW, THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That, if the above bounden Alexander G. Jones

do and shall well and faithfully perform the trust reposed in him by said decree, or that may be reposed in him by any future decree or order in the premises, then the above obligation to be void; otherwise to be and remain in full force and virtue in law.

Signed, sealed and delivered in the presence of:

Alexander G. Jones (SEAL)

(SEAL)

WITNESS: FIDELITY AND DEPOSIT COMPANY OF MARYLAND

By Jeanette M Rhea — Jeanette M. Rhea *As to Surety*

By — Clinton A. Killam, Jr. *Attorney-in-Fact*

The Within Bond Approved.

Per: J Theodore Phoebus, Clerk.

J3116(MD)—1M, 9,80 211589
Trustee's Bond

Bond Book 11, Page 115

LIBER 048 PAGE 49

Bcd Book 11, Page 116

Power of Attorney

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

HOME OFFICE, BALTIMORE, MD.

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by C. M. PECOT, JR. , Vice-President, and C. W. ROBBINS , Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which reads as follows:

SEC. 2. The President, or any Executive Vice-President, or any of the Senior Vice-Presidents or Vice-Presidents specially authorized so to do by the Board of Directors or by the Executive Committee, shall have power, by and with the concurrence of the Secretary or any one of the Assistant Secretaries, to appoint Resident Vice-Presidents, Assistant Vice-Presidents and Attorneys-in-Fact as the business of the Company may require, or to authorize any person or persons to execute on behalf of the Company any bonds, undertakings, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgments, decrees, mortgages and instruments in the nature of mortgages, and also all other instruments and documents which the business of the Company may require, and to affix the seal of the Company thereto.

does hereby nominate, constitute and appoint Charles W. Blank, Clinton A. Killman, Jr., J. Donald Haynes, John W. Charlton, Pauline A. Beall, Maria L. Lenox and Brian E. Wilcox, all of Baltimore, Maryland, EACH.....

its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: any and all bonds and undertakings.....

And the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, Md., in their own proper persons. This power of attorney revokes that issued on behalf of Charles W. Blank, etal, dated, February 17, 1981.

The said Assistant Secretary does hereby certify that the aforegoing is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this .....2nd.....day of.....September....., A.D. 19 81...

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

ATTEST:

FIDELITY AND DEPOSIT COMPANY OF MARYLAND SEAL

C W Robbins
Assistant Secretary

By C M Pecot
Vice-President

STATE OF MARYLAND }
CITY OF BALTIMORE } SS:

On this 2nd day of September , A.D. 19 81 , before the subscriber, a Notary Public of the State of Maryland, in and for the City of Baltimore, duly commissioned and qualified, came the above-named Vice-President and Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself deposeth and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal, at the City of Baltimore, the day and year first above written.

CAROL J. FADER NOTARY PUBLIC BALTIMORE CITY, MD.

Carol J. Fader
Notary Public Commission Expires July 1, 1982

CERTIFICATE

I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the original Power of Attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2 of the By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

This Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 16th day of July, 1969...

RESOLVED: "That the facsimile or mechanically reproduced signature of any Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed."

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said Company, this 16th day of November, 19 81

RECORDED IN THE LIBER 10 FOLIO
I. THEODORE ... CLERK OF CIRCUIT CT.
BY ..... DEPUTY

NOV 19 2 12 PM '81

L1428Cuf.—1M, 2-81 212572-060

Assistant Secretary

LIBER 048 PAGE 50

Alexander G. Jones, Assignee for the purpose of foreclosure and collection of a mortgage from J. Bryan Byrd and Carolyn E. Byrd, his wife, to The Federal Land Bank of Baltimore	:	No. 11,076 Chancery In the Circuit Court for Somerset County, Maryland

PURCHASER'S AFFIDAVIT

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 1st day of December, 1981, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Joel A. Boren, Agent for The Federal Land Bank of Baltimore, purchaser of the real estate in the above entitled proceeding and he made oath in due form of law:

1. That in making said purchase he was not acting as agent for anyone except as noted above.

2. That others interested in said purchase, as principals, are none.

3. That he did not directly or indirectly discourage anyone from bidding for the said property.

As witness my hand and Notarial Seal the day and year above written.

PATSY E. AKE NOTARY PUBLIC SOMERSET COUNTY, MD.

Patsy E. Ake
Notary Public

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

Alexander G. Jones, Assignee for the purpose of foreclosure and collection of a mortgage from J. Bryan Byrd and Carolyn E. Byrd, his wife, to The Federal Land Bank of Baltimore	:	No. 11,076 Chancery In the Circuit Court for Somerset County, Maryland

To the Honorable, the Judges of said Court:

The report of sales of Alexander G. Jones, Assignee of a certain mortgage made and executed by J. Bryan Byrd and Carolyn E. Byrd to The Federal Land Bank of Baltimore dated August 17, 1979 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 315, folio 829, under and by virtue of a power of sale therein contained, default having been made in the payment of the money secured by said mortgage or in the payment of the interest thereon or in some other covenant and condition in said mortgage, whereby the said mortgage debt has become due and demandable, respectfully represents to your Honor, that after giving bond with security approved by the Clerk of this Court, or by one of the Judges thereof, for the faithful performance of the trust so as reposed in him as Assignee of the said mortgage, and as required by law, and giving more than twenty days notice of the time, place, manner and terms of sale by advertisement in The Crisfield Times, a weekly newspaper published in Somerset County, once a week for three successive weeks before the day of sale, he did pursuant to said notice attend on the Court House steps in Princess Anne, Maryland, on the 1st day of December, 1981, at 2:00 P.M., then and there proceed to sell the property described in said mortgage, to wit:

All those tracts or parcels of land situate in Brinkleys Election District, Somerset County, Maryland, and more particularly described as follows:

First: All that tract or parcel of land, situate as aforesaid, lying and binding on the south side and on the west side of the county road known as the Green Road and bounded on the west and south by the land of Whittingtons Poultry Farms, Inc. (now Whittington Farms, Inc.) and being more particularly described as follows: Beginning for the same at aconcrete post placed on the southwest side of the aforesaid county road known as Green Road at a point which marks the extreme northerly corner of the land herein described, thence by and with the land of Whittington Farms, Inc. the twelve following courses and distances: (1) South 1° 56' 40" East by and with the center of a private road a distance of 246.36 feet to a concrete post, thence (2) South 89° 37' 50" West a distance of 309.17 feet to a concrete post, thence (3) South 0° 22' 10" East a distance of 126.26 feet to a concrete post, thence (4) North 89° 37' 50" East a distance of 312.49 feet to a concrete post in the center of said private road, thence (5) South 9° 31' 30" West by and with the center of said road a

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

distance of 329.42 feet to a concrete post, thence (6) North 78° 13' 00" West a distance of 355.46 feet to a concrete post, thence (7) South 11° 47' 00" West a distance of 126.17 feet to a concrete post, thence (8) South 78° 13' 00" East a distance of 360.46 feet to a concrete post in the center of said private road, thence (9) South 9° 30' 30" West by and with the center of said private road a distance of 43.69 feet to a concrete post, thence (10) South 77° 51' 00" East a distance of 514.18 feet to a concrete post, thence (11) North 12° 9' 00" East a distanceof 55.45 feet to a concrete post, thence (12) South 77° 51' 00" East a distance of 241.69 feet to a concrete post placed on the west side of the aforesaid county road known as Green Road, thence by and with the west side of said Green Road the two following courses and distances: (13) North 15° 50' 50" East a distance of 222.15 feet to a concrete post, thence (14) North 13° 1' 30" East a distance of 517.96 feet to a concrete post, thence (15) by and with a curve in said road to the west to another concrete post, the said concrete post lying North 35° 24' 10" West a distance of 65.10 feet from the concrete post described as the termination of the fourteenth course above, thence (16) North 79° 56' 10" West by and with the south side of said Green Road a distance of 692.85 feet to a concrete post, thence (17) by and with a curve in said road to the north to another concrete post (and place of beginning) said concrete post lying North 61° 3' 50" West a distance of 158.97 feet from the concrete post described as the termination of the sixteenth course above, said seventeenth course terminating at the place of beginning, and containing 16.68 acres, more or less, accurately laid down and described on a plat prepared by P. J. Hannon Associates, dated April 1971 (File P493) and recorded among the Land Records of Somerset County in Plat Book I.T.P. No. 8, folio 54.

SECOND: All that lot or parcel of land, situate as aforesaid, beginning at a concrete post at the curve of the county road at the northernmost corner of item First above as shown on the aforesaid by P. J. Hannon Associates, thence South 1° 56' 50" East a distance of 246.36 feet to a concrete post, thence South 89° 37' 50" West a distance of 309.17 feet to a concrete post, thence South 0° 22' 10" East a distance of 126.26 feet to a point, thence North 89° 37' 50" East a distance of 312.49 feet to a concrete post, thence South 9° 31' 30" West a distance of 329.42 feet to a point, thence North 78° 13' 00" West a distance of 336.0 feet to a point in the center of a large ditch, thence North 7° 08' 00" East a distance of 623.50 feet by and with said ditch to a point bearing South 88° 03' 20" West a distance of 9.5 feet from a concrete post, thence North 88° 03' 20" East a distance of 295.45 feet to the first mentioned concrete post and place of beginning, and containing 4.07 acres, more or less, accurately laid down and described as Parcel One on a plat prepared by G. Oliver Morrell, Registered Surveyor, dated October21, 1974 and recorded among the aforesaid Land Records in Plat Book I.T.P. No. 9, folio 82 (File L-507) and being the same and all the land conveyed unto Philip S. Bethard and wife by Parcel 1 of a deed from Whittington's Poultry Farms, Inc., et al, dated November 5, 1974 and recorded among the aforesaid Land Records in Liber I.T.P. No. 283, folio 579.

THIRD: All that lot or parcel of land, situate as aforesaid, and beginning at a culvert at the southernmost corner of the land herein described, thence by and with a ditch separating the land herein described from the land of Whittington Farms, Inc. North 68° 23' 00" West a distance of 1050.04 feet to a point where said ditch intersects the center of a large ditch, thence North 3° 24' 50" East a distance of 326.91 feet by and with the center of said last mentioned ditch to a concrete post at the westernmost corner of item First described above, thence South 78° 13' 00" East a distance of 360.46 feet to a concrete post, thence South 9° 30' 30" West a distance of 43.69 feet to a point, thence South 77° 51' 00" East a distance of 514.18 feet to a point, thence by and with item First described above North 12° 09' 00" East a distance of 55.45 feet to a point, thence by and with item First described above South 77° 51' 00" East a distance of 241.69 feet to a concrete post, thence by and with the county road South 15° 50' 50" West a distance of 511.0 feet to the first mentioned culvert and place of beginning, containing 9.68 acres of land, more or less, accurately laid down and described as Parcel No. 2 on the aforesaid plat by G. Oliver Morrell.

The tracts of land above described containing in the aggregate 30.43 acres of land, more or less, and being the same and all the land conveyed unto the said J. Bryan Byrd and Carolyn E. Byrd by Philip S. Bethard and Carol C. Bethard, his wife, by deed dated August 17, 1979 and recorded among the aforesaid Land Records in Liber I.T.P. No. 325, folio 824.

The following described personal property located on the above described real estate and listed in the mortgage as:

Broiler House #1

1 - line automatic feeders
3 - 36" fans
1 - 4 ton bulk bin
9 - gas stoves
16 - 8 ft. water troughs

Broiler House #2

2 - lines automatic feeders
6 - 36" fans
1 - 18 ton Brock
27 - gas stoves
68 - water troughs of various sizes

Broiler House #3

1 - line automatic feeders
1 - 8 ton bulk bin
14 - gas stoves
40 - 8 ft. water troughts
4 - 30" fans

Broiler House #4

1 - line Big Dutchman automatic feeders
1 - 8 ton bulk bin
3 - 30" fans
9 - gas stoves
8 - 8 ft. water troughs
17 - 6 ft. water troughs

Broiler House #5

2 - lines automatic feeders
1 - 14.6 ton round bulk bin
6 - 36" fans
16 - Big Dutchman gas stoves
28 - 8 ft. water troughs
27 - 6 ft. water troughs

Broiler House #6

1 - line automatic feeders
3 - 36" fans
1 - 10 ton round bulk bin
13 - gas stoves
38 - 8 ft. water troughs

The land and personal property above described was sold to The Federal Land Bank of Baltimore at and for the sum of fifty thousand dollars ($50,000.00) it being then and there the highest bidder therefor, and the purchaser has complied with the terms of sale to the satisfaction of your Trustee.

Respectfully submitted,

Alexander G. Jones, Assignee

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 1st day of December, in the year nineteen hundred and eighty-one, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Alexander G. Jones, Assignee named in the aforegoing report of sale, and made oath in due form of law that the matters and things therein stated are true to the best of his knowledge and belief and that the sale therein reported was fairly made.

As witness my hand and Notarial Seal.

Patsy E. Ake
Notary Public

Jones & Jones
Attorneys at Law
Princess Anne, Md. 21853

ORDER NISI

Alexander G. Jones, Assignee for the purpose of foreclosure and collection of a mortgage from J. Bryan Byrd and Carolyn E. Byrd, his wife, to The Federal Land Bank of Baltimore	:	No. 11,076 Chancery
	:	In the Circuit Court for
	:	Somerset County, Maryland
	:	

ORDERED by the Circuit Court for Somerset County, this 4th day of January, in the year nineteen hundred and eighty-two, that the sale of the property mentioned in these proceedings made and reported by Alexander G. Jones, Assignee for the purpose of foreclosure and collection, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 3rd day of February, 1982, provided a copy of this order be inserted in some newspaper published in Somerset County once in each of three successive weeks before the 1st day of February, 1982.

The report states the amount of sale to be $50,000.00

J. Theodore Phelps
Clerk of the Circuit Court
for Somerset County, Maryland

ORDER NISI

Alexander G. Jones, Assignee for the purpose of foreclosure and collection of amortgage from J. Bryan Byrd and Carolyn E. Byrd, his wife, to The Federal Land Bank of Baltimore	:	No. 11,076 Chancery In the Circuit Court for Somerset County, Maryland

ORDERED by the Circuit Court for Somerset County, this 2nd day of December, in the year nineteen hundred and eighty-one, that the sale of the property mentioned in these proceedings made and reported by Alexander G. Jones, Assignee for the purpose of foreclosure and collection, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 2nd day of January, 1982, provided a copy of this order be inserted in some newspaper published in Somerset County once in each of three successive weeks before the 21st day of December, 1981.

The report states the amount of sale to be $50,000.00.

J. Theodore Phoebus
Clerk of the Circuit Court
for Somerset County, Maryland

Alexander G. Jones, Assignee for the purpose of foreclosure and collection of a mortgage from J. Bryan Byrd and Carolyn E. Byrd, his wife, to The Federal Land Bank of Baltimore	:	No. 11,076 Chancery In the Circuit Court for Somerset County, Maryland

ORDERED by the Circuit Court for Somerset County, in Equity, this 11th day of ~~January~~ Feb., in the year nineteen hundred and eighty-two, that the sale of the real estate mentioned in these proceedings made and reported by Alexander G. Jones, Assignee for the purpose of foreclosure and collection, be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown although due notice appears to have been given as required by the Order Nisi passed in said cause.

Lloyd L. Simpkins
Judge

Jones & Jones
Attorneys at Law
Princess Anne, Md. 21853

Order Nisi

Alexander G. Jones, Assignee for the purpose of foreclosure and collection of a mortgage from J. Bryan Byrd and Carolyn E. Byrd, his wife, to The Federal Land Bank of Baltimore

No. 11,076 Chancery In the Circuit Court for Somerset County, Maryland

ORDERED by the Circuit Court for Somerset County, this 4th day of January, in the year nineteen hundred and eighty-two, that the sale of the property mentioned in these proceedings made and reported by Alexander G. Jones, Assignee for the purpose of foreclosure and collection, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 3rd day of February, 1982, provided a copy of this order be inserted in some newspaper published in Somerset County once in each of three successive weeks before the 1st day of February, 1982.

The report states the amount of sale to be $50,000.00.

I. Theodore Phoebus
Clerk of the Circuit Court for Somerset County, Maryland
True Copy, Test:
I. Theodore Phoebus,
Clerk.

1-14-3t

CRISFIELD, MD. 2-9- 82 19

THIS is to certify that the annexed Order Nisi has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order Nisi for 3 weeks beginning with the issue of January 14, 19 82 and ending January 28, 19 82

William A. Martin Jr.
Publisher, THE CRISFIELD TIMES

LIBER 048 PAGE 57

LIBER 048 PAGE 58

Alexander G. Jones, Assignee for the purpose of foreclosure and collection of a mortgage from J. Bryan Byrd and Carolyn E. Byrd, his wife, to the Federal Land Bank of Baltimore	*	NO. 11,076 CHANCERY
	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COUNTY
	*	STATE OF MARYLAND
	*	

FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this court, reports that he made an examination of the proceedings in the above entitled cause and from them and the list of expenses furnished him therein, states the following Account:

Amount of Sale			$ 50,000.00
Fees, Costs, Expenses, Etc.:			
I. Theodore Phoebus, Clerk		$ 163.00	
Jones & Jones Bond Premium		480.00	
Crisfield Times		313.20	
Advertising	254.40		
Order Nisi	58.80		
Daily Times, Advertising		249.38	
Pete Richardson, Auctioneer		100.00	
State and County Taxes		623.21	
Trustee's commission per agreement		1,000.00	
Attorney's fee per Deed of Trust		50.00	
Logan C. Widdowson, Auditor		50.00	
Patsy Ake, Notary Fees		6.00	
Jones & Jones, Postage		6.16	
Total Fees, Costs, Expenses, etc.		3,040.95	
Balance to be Distributed			46,959.05
Total Debt per statement of Mortgage Debt as of 5/1/81			109,421.67
Deficit			$ 62,462.62
plus interest as set forth in Mortgage from 5/1/81			

ALL EXCEPTIONS to said report must be filed within fifteed (15) days of the date of filing; if no exceptions are filed, the Account may be ratified.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing on the date of the filing of the Audit notice of this report to the following parties by regular U.S. Mail, postage prepaid:

Law Office of Jones & Jones 311 South Somerset Avenue Princess Anne, Maryland 21853	J. Bryan Byrd North Somerset Avenue Princess Anne, MD 21853	Carolyn E. Byrd North Somerset Ave. Princess Anne, MD 21853

Logan C. Widdowson, Auditor

Date Filed: April 6, 1982

LOGAN C. WIDDOWSON
ATTORNEY AT LAW
NORTH SOMERSET AVENUE
PRINCESS ANNE, MD. 21853
651-3800

LCW/gm
81 # 111

No. 11076 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 6th day of April, 19 82 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the 21st day of April, 19 82.

J. Theodore Phoebus
CLERK

No exceptions having been filed, and no cause to the contrary having been shown, IT IS ORDERED by the Circuit Court for Somerset County, in Equity, this 23rd day of April, 19 82 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

J. Theodore Phoebus
CLERK

LIBER 048 PAGE 59

MAR - 3 1983

LIBER 048 PAGE 60

OCT -5-81 B 029267D*****10.00
OCT -5-81 B 029266D*****60.00

HERMAN E. PERDUE, Attorney and Agent named in Mortgage for the purpose of foreclosure and collection of the Mortgage from SAMUEL PRUITT MARSH.	*	NO. 11168 CHANCERY
EX PARTE	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COUNTY
	*	STATE OF MARYLAND

* * * * * * * * *

ORDER TO DOCKET SUIT FORECLOSING MORTGAGE

MR. CLERK:

Please docket the above entitled cause and filed herewith the Mortgage executed on May 23, 1980 in the original principal amount of Sixteen Thousand Dollars ($16,000.00) from SAMUEL PRUITT MARSH to ROBERT W. STERLING, Personal Representative of the Estate of ELIZABETH K. HODGE which Mortgage was recorded among the Land Records of Somerset County, Maryland, in liber I.T.P. No. 322, Folio 195, which on June 10, 1980 was duly assigned by said Mortgagee unto ESTELLE HODGE NOCK and VIRGINIA HODGE WIDGEN, as Joint Tenants; and the undersigned, HERMAN E. PERDUE, is duly authorized in accordance with the provisions of said Mortgage to sell and foreclose on said property pursuant to the provisions of the laws of Maryland and the Rules of Court.

Respectfully submitted,

Herman E. Perdue

HERMAN E. PERDUE, Trustee

FOR MORTGAGE SEE LIBER ITP NO. 322, FOLIO 195

FOR ASSIGNMENT SEE LIBER ITP NO. 329, FOLIO 544

LAW OFFICES, PERDUE, RAYNE & DAVIS, PROFESSIONAL ASSOCIATION

I hereby assign this Note to Estelle Hodge Mock and Virginia Hodge Widgen as joint tenant forever in fee simple.
As Witness My Hand this 10th day of June, 1980

Witness

Robert W. Sterling, Personal Representative of Estate of Elizabeth K. Hodge

Mortgage Note

Salisbury, Md., May 23, 19 80

$16,000.00

TWENTY-FIVE (25) YEARSAFTER DATE HEREOF, FOR VALUE RECEIVED,
SAMUEL PRUITT MARSH

promises to pay to the order of ROBERT W. STERLING, Personal Representative of the Estate of ELIZABETH K. HODGE- - - - - - - - - - - - - - - - - - -

the sum of SIXTEEN THOUSAND and No/100 - - - - - - - - - - - - - - - - - - Dollars ($16,000.00), together with interest thereon at the rate of 12% per centum per annum from the date hereof, to be paid in monthly installments of $168.52 each, for 300 equal monthly payments, commencing one month from the date hereof and continuing until paid the same being for money owing to the said Robert W. Sterling, Personal Representative of the Estate of Elizabeth K. Hodge -

and to secure the payment of which, with interest as aforesaid, I have this day executed unto the said Robert W. Sterling, Personal Representative of the Estate of Elizabeth K. Hodge

a mortgage of even date herewith on certain real estate situated in the Town of Crisfield, being known as 134 N. Somerset Avenue, Crisfield, Maryland.

It is hereby agreed that if any default be made in the payment of the principal debt, or interest, or either of them at the time limited for the payment thereof, respectively, or in any condition or covenant of the said mortgage, then this entire debt and all interest thereon shall be immediately due and demandable, and I hereby authorize and empower Herman E. Perdue, or any other Attorney of any Court of Record in Maryland, or elsewhere, to appear in any of said Courts at any time thereafter in an action or actions of debt hereon, at the suit of the said Robert W. Sterling, Personal Representative of the Estate of Elizabeth K. Hodge -

personal representatives, successors or assigns, and in the name and stead of his heirs, executors or administrators, successors or assigns, to confess judgment during term or recess for the sum remaining due hereon on account of said principal debt and interest, together with the costs and charges of the suit and fifteen percent Collection Charges, and I hereby expressly waive all right to personal summons and exemptions of every kind as to the debt evidenced by this obligation, and to all stay of execution upon any judgment rendered hereon.

AS WITNESS

Test:

SAMUEL PRUITT MARSH .....(SEAL)
.....(SEAL)
.....(SEAL)
.....(SEAL)

LIBER 048 PAGE 61

LIBER 048 PAGE 62

HERMAN E. PERDUE, Attorney and Agent named in Mortgage for the purpose of foreclosure and collection of the Mortgage from SAMUEL PRUITT MARSH	*	NO. 11,168 CHANCERY
	*	
	*	IN THE CIRCUIT COURT
EX PARTE	*	FOR SOMERSET COUNTY
	*	STATE OF MARYLAND

* * * * * * * * *

AFFIDAVIT OF INDEBTEDNESS

STATE OF MARYLAND, COUNTY OF Wicomico, TO WIT:

I HEREBY CERTIFY that on this 30th day of September, 1981, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared VIRGINIA HODGE WIDGEN, individually, and as Attorney and Agent for ESTELLE HODGE NOCK, the present holders of said Mortgage, who made oath in due form of law, as follows:

1. That they, ESTELLE HODGE NOCK and VIRGINIA HODGE WIDGEN, are the owners of this by assignment of a Mortgage from SAMUEL PRUITT MARSH executed on May 23, 1980 and recorded among the Land Records of Somerset County, State of Maryland, in liber I.T.T. No. 322, Folio 195 and that they, being the owners of said Mortgage and authorized to do so, make oath in due form of law that the sum of Fifteen Thousand Eight Hundred and Eighty-Two Dollars and Thirty-Four Cents ($15,882.34) is justly due and owing from June 23, 1981 through September 15, 1981 in the amount of Four Hundred Thirty-Eight Dollars and Sixty-One Cents ($438.61) for a total of Sixteen Thousand, Three Hundred Twenty Dollars and Ninety-Five Cents with interest at a per diem rate of Five Dollars and Twenty-Two Cents ($5.22) beginning September 16, 1981 until paid.

LAW OFFICES, PERDUE, RAYNE & DAVIS, PROFESSIONAL ASSOCIATION

2. That the said SAMUEL PRUITT MARSH is not a member of the armed forces of the United States of America or of any of its allies, as duly constituted, and has not been discharged therefrom within a period of thirty days.

3. That the last known Post Office address of the said Mortgagor is 134 Somerset Avenue, Crisfield, Somerset County, Maryland, 21817.

AS WITNESS MY HAND and Notarial Seal.

LORETTA SINCLAIR NOTARY PUBLIC SOMERSET COUNTY, MARYLAND

Loretta M. Sinclair
Notary Public

My Commission Expires: 7/1/82

Affiants:

Virginia Hodge Widgen
VIRGINIA HODGE WIDGEN

ESTELLE HODGE NOCK

By: Virginia Hodge Widgen
VIRGINIA HODGE WIDGEN
Attorney in Fact

LIBER 048 PAGE 63

LAW OFFICES, PERDUE, RAYNE & DAVIS, PROFESSIONAL ASSOCIATION

LIBER 048 PAGE 64

HERMAN E. PERDUE, Attorney and Agent named in Mortgage for the purpose of foreclosure and collection of the Mortgage from SAMUEL PRÛITT MARSH	*	NO. 11168 CHANCERY
	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COUNTY
EX PARTE	*	STATE OF MARYLAND

* * * * * *

MR. CLERK:

Please amend the Order to Docket Suit Foreclosing Mortgage and the Affidavit of Indebtedness by withdrawing the old and substituting in liew thereof those attached hereto, or as this Clerk shall elect.

Herman E. Perdue

HERMAN E. PERDUE, Trustee

LAW OFFICES, PERDUE, RAYNE & DAVIS, PROFESSIONAL ASSOCIATION

HERMAN E. PERDUE, Attorney and Agent named in Mortgage for the purpose of foreclosure and collection of the Mortgage from SAMUEL PRUITT MARSH	*	NO. 11168 CHANCERY
	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COUNTY
EX PARTE	*	STATE OF MARYLAND

* * * * * * * * * *

AMENDED ORDER TO DOCKET SUIT FORECLOSING MORTGAGE

MR. CLERK:

Please docket the above entitled cause and file herewith the Mortgage executed on May 23, 1980 in the original principal amount of Sixteen Thousand Dollars ($16,000.00) from SAMUEL PRUITT MARSH to ROBERT W. STERLING, Personal Representative of the Estate of ELIZABETH K. HODGE which Mortgage was recorded among the Land Records of Somerset County, Maryland, in liber I.T.P. No. 322, Folio 195, which on June 10, 1980 was duly assigned by said Mortgagee unto ESTELLE HODGE NOCK and VIRGINIA HODGE WIDGEN, the interest of the said ESTELLE HODGE NOCK having been assigned on October 10, 1981 unto VIRGINIA HODGE WIDGEN, who is now the sole owner of said Mortgage; and the undersigned, HERMAN E. PERDUE, is duly authorized in accordance with the provisions of said Mortgage to sell and foreclose on said property pursuant to the provisions of the laws of Maryland and the Rules of Court.

Respectfully submitted,

Herman E. Perdue

HERMAN E. PERDUE, Trustee

FOR PARTIAL ASSIGNMENT SEE LIBER ITP NO. 329, FOLIO 805

LAW OFFICES, PERDUE, RAYNE & DAVIS, PROFESSIONAL ASSOCIATION

LIBER 048 PAGE 66

HERMAN E. PERDUE, Attorney and Agent named in Mortgage for the purpose of foreclosure and collection of the Mortgage from SAMUEL PRUITT MARSH	*	NO. 11168 CHANCERY
	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COUNTY
EX PARTE	*	STATE OF MARYLAND

* * * * * * *

AMENDMENT TO AFFIDAVIT OF INDEBTEDNESS

STATE OF Virginia , COUNTY OF Northampton, TO WIT:

I HEREBY CERTIFY that on this 23rd day of Oct., 1981, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Virginia Hodge Widgen Individually, the present holder of said Mortgage who made oath in due form of law as follows:

1. That the interest of the said Estelle Hodge Nock in and to the Mortgage hereinafter mentioned was duly assigned unto Virginia Hodge Widgen on October 10, 1981 in accordance with the Partial Assignment and that she, therefore, is now the sole owner by the aforementioned Assignment and by the Assignment copy of a Mortgage from Samuel Pruitt Marsh executed on May 23, 1980 and recorded among the Land Records of Somerset County, State of Maryland, in liber I.T.T. No. 322, Folio 195 and that she, being the owner of said Mortgage and authorized to do so, make oath in due form of law that the sum of Fifteen Thousand Eight Hundred and Eighty-two Dollars and Thirty-four Cents ($15,882.34) is justly due with interest from June 23, 1981 through September 15, 1981 in the amount of Four Hundred Thirty-eight Dollars and Sixty-one Cents ($438.61) for a total of Sixteen Thousand, Three Hundred Twenty Dollars and Ninety-five Cents with interest at a per diem rate of Five Dollars and Twenty-two Cents ($5.22) beginning September 16, 1981 until paid

LAW OFFICES, PERDUE, RAYNE & DAVIS, PROFESSIONAL ASSOCIATION

2. That the said Samuel Pruitt Marsh is not a member of the Armed Forces of the United States of America or of any of its allies, as duly constituted, and has not been discharged therefrom within a period of thirty days.

3. That the last know Post Office address of the said Mortgagor is 134 Somerset Avenue, Crisfield, Somerset County, Maryland, 21817.

AS WITNESS MY HAND and Notarial Seal.

Notary Public

My Commission Expires: 10/3/82

AFFIANT:

VIRGINIA HODGE WIDGEN

LAW OFFICES, PERDUE, RAYNE & DAVIS, PROFESSIONAL ASSOCIATION

LIBER 048 PAGE 68

HERMAN E. PERDUE, Attorney and Agent named in Mortgage for the purpose of foreclosure and collection of the Mortgage from SAMUEL PRUITT MARSH	*	NO. 11168 CHANCERY
	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COUNTY
EX PARTE	*	STATE OF MARYLAND

* * * * * * * *

MR. CLERK:

Please file the attached Bond required in this case.

Attorney

LAW OFFICES, PERDUE, RAYNE & DAVIS, PROFESSIONAL ASSOCIATION

Fidelity and Deposit Company

HOME OFFICE OF MARYLAND *BALTIMORE, MD. 21203*

No. 11168 Chancery

KNOW ALL MEN BY THESE PRESENTS:

That we, Herman E. Perdue, Attorney named in Mortgage c/o Perdue, Rayne & Davis, Trustees

as Principal,

and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a body corporate, duly incorporated under the laws of the State of Maryland, as Surety, are held and firmly bound unto the State of Maryland, in the full and just sum of Seventeen thousand dollars and 00/100 Dollars,

to be paid to the said State or its certain Attorney, to which payment well and truly to be made, and done, we bind ourselves and each of us, our and each of our Heirs, Executors, Administrators, Successors or Assigns jointly and severally, firmly by these presents.

Sealed with our seals and dated this 2nd day of December in the year of our Lord 1981.

Whereas, the above bounden Herman E. Perdue, Attorney named in Mortgage c/o Perdue, Rayne & Davis, Trustees

by virtue of the power contained in a mortgage from Samuel Pruitt Marsh

to Virginia Widgeon

bearing date the 10th day of June, 180 and recorded among the mortgage records of Somerset County in Liber ITP322 No. Folio 195 and

is about to sell the land and premises described in said mortgage, default having been made in the payment of the money as specified, and in the conditions and covenants therein contained.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bounden Herman E. Perdue, Attorney named in Mortgage c/o Perdue, Rayne & Davis, Trustees

do and shall well and truly and faithfully perform the trust reposed in them under the mortgage aforesaid, and shall abide by and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of said mortgaged property, or the proceeds thereof then the above obligation to be void, otherwise to be and remain in full force and virtue in law.

In Testimony Whereof, the above bounden Herman E. Perdue, Attorney named in Mortgage Perdue, Rayne & Davis, Trustees

has hereto set their hand and seal and the said body corporate has caused these presents to be duly signed by its Attorney-in-Fact, the day and year first herein above written.

Signed, sealed and delivered in the presence of:

Alice L. Webster — Herman E. Perdue c/o Perdue, Rayne & Davis (SEAL)

(SEAL)

Witness: FIDELITY AND DEPOSIT COMPANY OF MARYLAND

Sandra E. Savage *As to Surety* By Reese F. Cropper, Jr. Attorney-in-Fact

FILED DEC 4 1981 12:02 PM

J3228(MD)—250, 8-81 213732
Formerly MD3228a
Mortgagee's or Attorney's Bond

RECORDED IN LIBER NO. FOLIO
I. THEODORE GREBUS, CLERK
BY DEPUTY

548 PAGE 69

The Within Bond Approved.

Per: I. Theodore Grebus, CLERK.

Bond Book No. 11 Page 117

Bond Book 11 Page No. 118

LIBER 048 PAGE 70

Power of Attorney

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

HOME OFFICE: BALTIMORE, MD.

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by C. M. PECOT, JR. , Vice-President, and C. W. ROBBINS , Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which reads as follows:

SEC. 2. The President, or any Executive Vice-President, or any of the Senior Vice-Presidents or Vice-Presidents specially authorized so to do by the Board of Directors or by the Executive Committee, shall have power, by and with the concurrence of the Secretary or any one of the Assistant Secretaries, to appoint Resident Vice-Presidents, Assistant Vice-Presidents and Attorneys-in-Fact as the business of the Company may require, or to authorize any person or persons to execute on behalf of the Company any bonds, undertakings, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgments, decrees, mortgages and instruments in the nature of mortgages, and also all other instruments and documents which the business of the Company may require, and to affix the seal of the Company thereto.

does hereby nominate, constitute and appoint Reese F. Cropper, Jr. of Berlin, Maryland.....

its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: any and all bonds and undertakings, each in a penalty not to exceed the sum of TWO HUNDRED FIFTY THOUSAND DOLLARS ($250,000).....

And the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, Md., in their own proper persons. This power of attorney revokes that issued on behalf of Reese F. Cropper, Sr. etal, dated August 1, 1973.

The said Assistant Secretary does hereby certify that the aforegoing is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 20th day of May, A.D. 19 80

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

ATTEST:

SEAL

C W Robbins
Assistant Secretary

By C M Pecot
Vice-President

STATE OF MARYLAND }
CITY OF BALTIMORE } SS:

On this 20th day of May, A.D. 19 80, before the subscriber, a Notary Public of the State of Maryland, in and for the City of Baltimore, duly commissioned and qualified, came the above-named Vice-President and Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself deposeth and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal, at the City of Baltimore, the day and year first above written.

CAROL J. FADER NOTARY PUBLIC BALTIMORE CITY, MD.

Carol J. Fader
Notary Public Commission Expires July 1, 1982

CERTIFICATE

I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the original Power of Attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2 of the By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

This Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 16th day of July, 1969.

RESOLVED: "That the facsimile or mechanically reproduced signature of any Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed."

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said Company, this 2nd day of December, 19 81

DEC 4 12 53 PM '81

RECORDED IN Bond Book
LIBER NO. 11 FOLIO 117
L. THEODORE PHOEBUS, CLK. CI. CT.
BY ____ DEPUTY

Assistant Secretary

L1428Ctf.—1M, 5-80 210737

HERMAN E. PERDUE, Attorney and Agent named in Mortgage for the purpose of Foreclosure and collection of the Mortgage from SAMUEL PRUITT MARSH	*	NO. 11,168 CHANCERY
	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COUNTY
EX PARTE	*	STATE OF MARYLAND

****

AFFIDAVIT OF SERVICE OF NOTICE BY CERTIFIED MAIL

Herman E. Perdue, Esq., pursuant to Maryland Rule W74 Section A2C states the following:

1. A copy of the attached Notice of Foreclosure Sale was mailed to the Mortgagor, Samuel Pruitt Marsh, at 134 North Somerset Avenue, Crisfield, Maryland 21817, by certified mail endorsed "restrictive delivery - return receipt requested".

2. This Notice was, in fact, received by the Mortgagor on November 30, 1981, as evidenced by his signature on the original return receipt which is attached to this Affidavit.

Herman E. Perdue

Herman E. Perdue

STATE OF MARYLAND, COUNTY OF ~~WICOMICO~~ Worcester, TO WIT:

Subscribed and sworn to before me this 4th day of December, 1981.

NOTARY PUBLIC

My Commission Expires: 7/1/82

LAW OFFICES, PERDUE, RAYNE & DAVIS, PROFESSIONAL ASSOCIATION

LAW OFFICES
PERDUE, RAYNE & DAVIS
PROFESSIONAL ASSOCIATION
212 EAST MAIN STREET
SALISBURY, MARYLAND 21801
(301) 249-2211

HERMAN E. PERDUE
RONALD G. RAYNE
DONALD C. DAVIS

OCEAN CITY OFFICE
3906 OCEAN HIGHWAY
OCEAN CITY, MD. 21842
(301) 289-8408

November 23, 1981

LIBER 048 PAGE 72

Mr. Samuel Pruitt Marsh
134 North Somerset Avenue
Crisfield, Maryland 21817

Dear Mr. Marsh:

This is to give notice that the property known as 134 North Somerset Avenue will be sold by auction sale on Saturday, December 5, 1981, on the premises at 11:00 A.M. The property will go to the highest bidder and the terms require that the bidder pay $3,000 down and the balance within thirty (30) days.

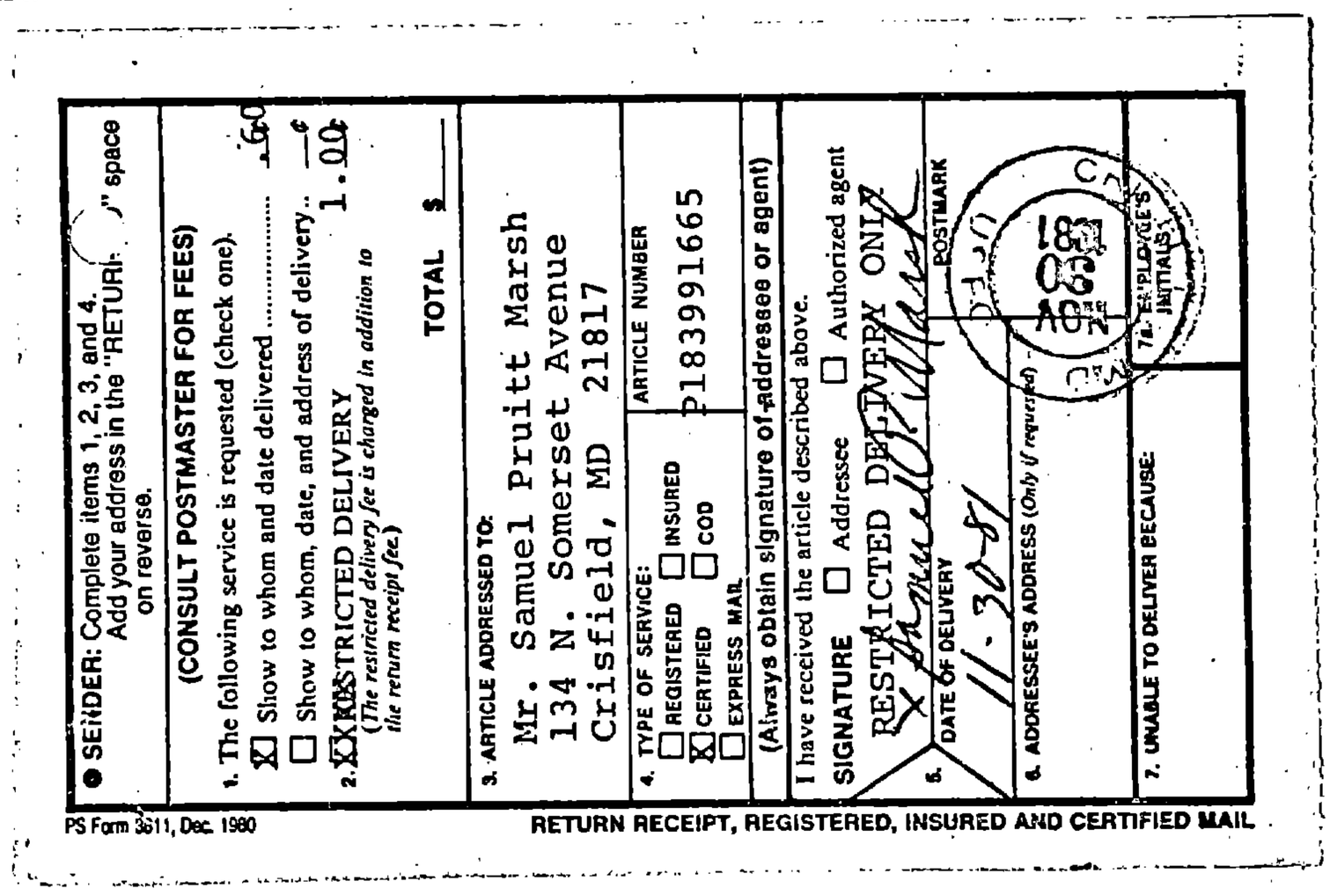
If the property brings more than the debt and more than the fee, costs and expenses of sale, you will be paid the balance. Should it bring less than the mortgage, costs, and expenses, including Attorney's Fees, you can still be held liable under the law for that excess.

Sincerely yours,

J. Morgan White

J. MORGAN WHITE

JMW:bw


SENDER: Complete items 1, 2, 3, and 4. Add your address in the "RETURN TO" space on reverse.
(CONSULT POSTMASTER FOR FEES)
1. The following service is requested (check one).
☒ Show to whom and date delivered .60
☐ Show to whom, date, and address of delivery
2. ☒ RESTRICTED DELIVERY (The restricted delivery fee is charged in addition to the return receipt fee.) 1.00
TOTAL $
3. ARTICLE ADDRESSED TO: Mr. Samuel Pruitt Marsh 134 N. Somerset Avenue Crisfield, MD 21817
4. TYPE OF SERVICE: ☐ REGISTERED ☐ INSURED ☒ CERTIFIED ☐ COD ☐ EXPRESS MAIL
ARTICLE NUMBER P183991665
(Always obtain signature of addressee or agent)
I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent
RESTRICTED DELIVERY ONLY
X Samuel Marsh
5. DATE OF DELIVERY 11-30-81
POSTMARK
6. ADDRESSEE'S ADDRESS (Only if requested)
7. UNABLE TO DELIVER BECAUSE:
7a. EMPLOYEE'S INITIALS
PS Form 3811, Dec. 1980
RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

Notice

PERDUE, RAYNE & DAVIS, P.A.
212 East Main Street
Salisbury, Maryland 21801

ATTORNEYS

Auction Sale
Of Valuable Home

TO BE SOLD ON THE PREMISES AT 134 NORTH SOMERSET AVENUE, CRISFIELD, MARYLAND

SATURDAY, DECEMBER 5, 1981
Beginning at 11:00 O'Clock A.M.

Pursuant to the power of sale contained in the mortgage to Virginia Hodge Widgen, as Assignee of the interest of Robert W. Sterling et al in said mortgage, dated May 23, 1980 and recorded among the Land Records of Somerset County, State of Maryland, in Liber I.T.P. No. 322, Folio 195, the undersigned, as Attorney named under the power of sale contained in said mortgage, will sell at public auction, according to the terms of said mortgage, the herein described real estate, to wit:

ALL that property located in the town of Crisfield on the easterly side of Somerset Avenue, measuring 50' x 200', known as the HODGE PROPERTY, and being all the same property that was conveyed to Samuel Pruitt Marsh by Robert W. Sterling, Personal Representative of the Estate of Elizabeth K. Hodge and Virginia Hodge Widgen, individually, and as Attorney-in-Fact for Estelle Hodge Nock by deed dated May 23, 1980, and recorded among the Land Records of Somerset County, State of Maryland, in Liber I.T.P. No. 322, Folio 192.

THIS PROPERTY IS IMPROVED BY A ONE AND ONE-HALF STORY FRAMED DWELLING WITH AN ADDITION ON THE REAR AND A LARGE SCREENED FRONT PORCH, AND AN OIL FIRED HOT AIR HEATING SYSTEM, CONSISTING OF A FULL LIVING ROOM, DINING ROOM, AUXILIA KITCHEN, THREE BEDROOMS, ONE AND ONE-HALF BATHS, STORAGE ROOM AND A FULL BASEMENT.

TERMS OF SALE: $3,000 down on date of sale. Title papers, revenue stamps, transfer taxes and other usual and customary costs, shall be paid at the expense of the purchaser. Taxes to be adjusted to the date of sale. Possession upon final ratification by the Circuit Court of Somerset County, State of Maryland, and without interest if paid within ten days of said Court ratification. If not so paid, interest shall be charged on the balance at twelve percent (12%) per annum, accounting from the date of sale, time being of the essence. Possession to be given upon full settlement therefor. Purchaser takes property as is, assumes full responsibility therefor after conclusion of bidding.

INSPECTION: Beginning at ten o.'clock a.m. on date of sale and at other times at special appointment by calling the undersigned.

AUCTIONEER:
O. J. BRITTINGHAM
11-12-4t

Herman E. Perdue,
Attorney named in mortgage
(301) 749-2211

CRISFIELD, MD. 12-10- 19 81

THIS is to certify that the annexed Notice has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Notice for 4 weeks beginning with the issue of November 12, 19 81 and ending December 3, 19 81.

William A. Martin Jr.
Publisher, THE CRISFIELD TIMES

LIBER 048 PAGE 73

HERMAN E. PERDUE, Attorney and Agent named in Mortgage for the purpose of Foreclosure and collection of the Mortgage from SAMUEL PRUITT MARSH	*	NO. 11168 CHANCERY
	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COUNTY
EX PARTE	*	STATE OF MARYLAND

* * * * *

INSTRUCTIONS TO CLERK

MR. CLERK:

Please file attached Certificate of Publication, Affidavit of Service of Notice by Certified Mail, Report of Sale, Order Nisi and Final Order of Ratification in the subject case.

HERMAN E. PERDUE, Attorney
Names in Mortgage

LAW OFFICES, FERDUE, RAYNE & DAVIS, PROFESSIONAL ASSOCIATION

HERMAN E. PERDUE, Attorney and Agent named in Mortgage for the purpose of Foreclosure and collection of the Mortgage from SAMUEL PRUITT MARSH	*	NO. 11168 CHANCERY
	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COUNTY
EX PARTE	*	STATE OF MARYLAND

****

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The report of Herman E. Perdue, Attorney named in Mortgage, pursuant to the power of sale contained in the Mortgage recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 322, Folios 195, 196 and 197, respectfully shows:

That after default has been made in the terms, covenants and conditions of the said Mortgage, and having given notice by advertisement at least once in each week for three successive weeks, that the first such publication was not less than fifteen (15) days prior to sale and the last such publication was not more than one (1) week prior to sale, all such publications being in the Crisfield Times, a newspaper published and circulated in Somerset County, Maryland, prior to December 5, 1981, and giving bond with securities approved by the Clerk of this Court, said Attorney did, on December 5, 1981, at 11:00 o'clock a.m., attend on the premises at 134 North Somerset Avenue, Crisfield, Somerset County, State of Maryland, it being the time and place mentioned in said advertisements, as will more fully appear by reference to the attached copies thereof with Certificates of Publication, said Attorney did then and there offer for sale at public aution, all of the following described property, to wit:

ALL that lot or parcel of land situate, lying and being in the City of Crisfield, Somerset County, Maryland, located on the Easterly side of Somerset Avenue, bounded on the North by lands now or formerly owned by R. Walton Thomas as shown on a plat prepared by G. Oliver Morrell, surveyor, entitled "Plat showing a new Partition line (A to B) between Ottwell Goldsborough and R. Walton Thomas and a new partition line (C to D) between R. Walton Thomas and Elizabeth Hodge" dated May 16, 1966 and recorded among the Land Records of Somerset County, Maryland in Liber I.T.P. No. 232, folio 556, running from point

LAW OFFICES, PERDUE, RAYNE & DAVIS, PROFESSIONAL ASSOCIATION

D to point C for a distance of 200 feet more or less to a cement post; thence S 12 degrees 45' West to lands now or fomerly owned by Steven G. Jordan; thence running with said Jordan land for a distance of 200 feet more or less, to the easterly side of Somerset Avenue; thence North 12 degrees 45' East to the place of beginning; BEING all that land which was conveyed unto Samuel Pruitt Marsh by Robert W. Sterling, Personal Representative of the Estate of Elizabeth K. Hodge and Virginia Hodge Widgin, individually, and as Attorney-in-Fact for Estelle Hodge Nock, by deed dated May 23, 1980 and recorded among the Land Records of Somerset County, State of Maryland, in Liber I.T.P. No. 322, Folio 192.

Said Attorney offered the real estate described above and received as the highest and best bid therefore, $17,000.00, from Bettie Yates Samuals.

And that said Attorney sold said real estate to Bettie Yates Samuals at and for the sum of $17,000.00, this sum being the highest bid therefore, and said Purchaser has complied with the terms of sale.

Respectfully submitted,

Herman E. Perdue

Herman E. Perdue, Attorney
Named in Mortgage

STATE OF MARYLAND, COUNTY OF WICOMICO, TO WIT:

I HEREBY CERTIFY that on this 18th day of December, 1981, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Herman E. Perdue, Attorney named in aforegoing Report of Sale, and made oath in due form of law that the matters and things set forth in the aforegoing Report of Sale are true and correct to the best of his knowledge, information and belief and that the sale therein reported was fairly made.

AS WITNESS my hand and Notarial Seal the day and year first above written.

LORETTA SINCLAIR NOTARY PUBLIC WICOMICO COUNTY, MARYLAND

Loretta M. Sinclair
NOTARY PUBLIC

My Commission Expires: 7/1/82

LAW OFFICES, PERDUE, RAYNE & DAVIS, PROFESSIONAL ASSOCIATION

HERMAN E. PERDUE, Attorney and Agent named in Mortgage for the purpose of Foreclosure and collection of the Mortgage from SAMUEL PRUITT MARSH	*	NO. 11168 CHANCERY
	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COUNTY
EX PARTE	*	STATE OF MARYLAND

****

ORDER NISI

ORDERED by the Circuit Court for Somerset County, Maryland, in Equity, on this 18th day of December, 1981, that the sale of the property mentioned in these proceedings made and reported by HERMAN E. PERDUE, Attorney named under the power of sale contained in the Mortgage from Samuel Pruitt Marsh, and more specifically referred to in the Report of Sale filed in these proceedings, be ratified and confirmed, unless cause to the contrary be shown on or before the 18th day of January, 1982; provided a copy of this Order be inserted in some newspaper published in said Somerset County, once in each of three (3) successive weeks before the 11th day of January, 1982.

The report states the amount of the sale to be $17,000.00.

Theodore Phoebus
CLERK

FINAL ORDER OF RATIFICATION

ORDERED, by the Circuit Court for Somerset County, State of Maryland, this 25th day of JAN, 1982, that the sale made and reported by the Attorney aforesaid, be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown, although due notice appears to have been given as required by the Order Nisi passed in this cause.

Lloyd L. Griffith
JUDGE

LAW OFFICES, PERDUE, RAYNE & DAVIS, PROFESSIONAL ASSOCIATION

LIBER 048 PAGE 78

HERMAN E. PERDUE, Attorney and Agent named in Mortgage for the purpose of Foreclosure and collection of the Mortgage from SAMUEL PRUITT MARSH	*	NO. 11168 CHANCERY
	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COUNTY
EX PARTE	*	STATE OF MARYLAND

****

AFFIDAVIT

STATE OF MARYLAND, COUNTY OF SOMERSET, TO WIT:

I HEREBY CERTIFY that on this 17th day of December, 1981, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Bettie Y. Samuals, the purchaser named in this Report of Sale, and made oath in due form of law as follows:

1. That I, Bettie Y. Samuals attended the sale of the property described as 134 North Somerset Avenue, Crisfield, Maryland, the subject property of these proceedings, held in Somerset County, Maryland on December 5, 1981 and purchased the same for myself.

2. That no other persons, firms or corporations are financially interested or involved as principal or otherwise.

3. That I did not directly or indirectly discourage anyone from bidding on said property.

DORIS M. TAWES NOTARY PUBLIC Somerset County, Md.

Bettie Y. Samuals
AFFIANT

SUBSCRIBED AND SWORN TO, before me, this 17th day of December, 1981.

Doris M. Tawes
NOTARY PUBLIC

My Commission Expires: July 1, 1982

LAW OFFICES, PERDUE, RAYNE & DAVIS, PROFESSIONAL ASSOCIATION

HERMAN E. PERDUE, Attorney and Agent named in Mortgage for the purpose of Foreclosure and collection of the Mortgage from SAMUEL PRUITT MARSH	*	NO. 11168 CHANCERY
	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COUNTY
EX PARTE	*	STATE OF MARYLAND

****

INSTRUCTIONS TO THE CLERK

DEAR MR. CLERK:

Please file the attached Military Affidavit and Affidavit of Bidder.

Thank you very much.

J. Morgan White

J. MORGAN WHITE

LAW OFFICES, PERDUE, RAYNE & DAVIS, PROFESSIONAL ASSOCIATION

LIBER 048 PAGE 80

HERMAN E. PERDUE, Attorney and Agent named in Mortgage for the purpose of Foreclosure and collection of the Mortgage from SAMUEL PRUITT MARSH	*	NO. 11168 CHANCERY
	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COUNTY
EX PARTE	*	STATE OF MARYLAND

****

MILITARY AFFIDAVIT

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 29th day of December, 1981, before me, the subscriber, a Notary Public of the State of Maryland, in and for Wicomico County aforesaid, personally appeared Herman E. Perdue, Attorney named in the mortgage, and made oath in due form of law that Samuel Pruitt Marsh is not in the Military Service as hereinafter set forth and that he has not been in such Military Service within thirty (30) days prior to the making of this Affidavit, such Military Service being referred to as follows:

1. The Military Service of the United States of America or of the enlisted reserve groups thereof;

2. Order to report for induction under the Selective Training and Service Act in 1940 as amended;

3. The Military Service of any nation with which the United States of America may be allied in the prosecution of war.

AS WITNESS my hand Notarial Seal.

NOTARY PUBLIC

My Commission Expires: 7/1/82

LAW OFFICES, PERDUE, RAYNE & DAVIS, PROFESSIONAL ASSOCIATION

HERMAN E. PERDUE, Attorney and Agent named in Mortgage for the purpose of Foreclosure and collection of the Mortgage from SAMUEL PRUITT MARSH	*	NO. 11168 CHANCERY
	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COUNTY
EX PARTE	*	STATE OF MARYLAND

****

INSTRUCTIONS TO THE CLERK

DEAR MR. CLERK:

Please file the attached Certificate of Publication of Order Nisi and provided that no objections have been raised, please present the final order of ratification to his Honor for his consideration.

Thank you very much.

J. Morgan White

J. MORGAN WHITE

SIONAL ASSOCIATION

Herman E. Perdue, Attorney and Agent named in Mortgage for the purpose of Foreclosure and collection of the Mortgage from Samuel Pruitt Marsh.

Ex Parte
No. 11168 Chancery
In the Circuit Court
For Somerset County
State of Maryland

Order Nisi

ORDERED by the Circuit Court for Somerset County, Maryland, in Equity, on this 18th day of December, 1981, that the sale of the property mentioned in these proceedings made and reported by Herman E. Perdue, Attorney named under the power of sale contained in the Mortgage from Samuel Pruitt Marsh, and more specifically referred to in the Report of Sale filed in these proceedings, be ratified and confirmed, unless cause to the contrary be shown on or before the 18th day of January, 1982; provided a copy of this Order be inserted in some newspaper published in said Somerset County, once in each of three (3) successive weeks before the 11th day of January, 1982.

The report states the amount of the sale to be $17,000.00.

I. Theodore Phoebus
Clerk

True Copy, Test:
I. Theodore Phoebus
Clerk

12-24-St

CRISFIELD, MD. January 18, 1982

THIS is to certify that the annexed Notice has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Notice for 3 weeks beginning with the issue of December 24, 1981 and ending January 7, 1982.

William A. Martin Jr.
Publisher, THE CRISFIELD TIMES

LIBER 048 PAGE 82

HERMAN E. PERDUE, Attorney and Agent named in Mortgage for the purpose of Foreclosure and collection of the Mortgage from SAMUEL PRUITT MARSH

EX PARTE

IN THE CIRCUIT COURT
FOR SOMERSET COUNTY
STATE OF MARYLAND
CHANCERY NO. 11,168

FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he made an examination of the proceedings in the above entitled cause and from them and the list of expenses furnished him therein, states the following Account:

Amount of Sale			$ 17,000.00
Interest paid by Buyer from date of Sale to settlement date			368.00
Buyer's share of pro-rated taxes			180.25
Total Proceeds to be accounted for			$ 17,548.25
Fees, Costs, Expenses, etc.:			
I. Theodore Phoebus, Court costs		$ 164.00	
Crisfield Times		217.20	
Order of Publication	$ 187.20		
Order Nisi	30.00		
Daily Times advertising sale		134.94	
O.J. Brittingham, Auctioneer		100.00	
Herman E. Perdue, Trustee's Comm.		1,000.00	
10% of 1st $3,000 = $300			
5% of excess = 700			
Smith & Cropper Insurance and Bond Premium		187.00	
Carlos Bozman, taxes		274.82	
City of Crisfield, taxes		225.76	
City of Crisfield Water Bill		37.00	
Auditor's Fee		50.00	
Total Fees, Costs, expenses, etc.		2,390.72	
Balance for Distribution			$ 15,157.53
Mortgage Debt			
Principal debt as of 6/23/81		$15,882.34	
Interest from 6/23/81 at $5.22 per day to 5/7/82 (318 days)		1,659.96	
Total Mortgage Debt		$17,543.20	
Deficit			$ 2,385.67

ALL EXCEPTIONS to said report must be filed within fifteen (15) days of the date of filing; if no exceptions are filed, the Account may be ratified.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing on the date of the filing of the Audit notice of this report to the following parties by regular U.S. mail, postage prepaid:

J. Morgan White, Esquire
212 East Main Street
P.O. Box 949
Salisbury, MD 21801

Samuel Pruitt Marsh
134 North Somerset Avenue
Crisfield, MD 21817

Logan C. Widdowson, Auditor

Date Filed: Apr. 22, 1982

LOGAN C. WIDDOWSON
ATTORNEY AT LAW
NORTH SOMERSET AVENUE
PRINCESS ANNE, MD. 21853
651-3800

LCW/gm
81 # 114

No. 11,168 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 22nd day of April, 19 82 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the 7th day of May, 19 82.

L. Theodore Phoebus
CLERK

No exceptions having been filed, and no cause to the contrary having been shown, IT IS ORDERED by the Circuit Court for Somerset County, in Equity, this 2nd day of June, 19 82 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

L. Theodore Phoebus
CLERK

LIBER 048 PAGE 83 MAR - 3 1983

LIBER 048 PAGE 84

FEB 18-82 B 021854D*****10.00
FEB 18-82 B 021853D*****60.00

In the Foreclosure of a Mortgage
from Shoreland Company,
Incorporated, Ex Parte

Chancery No. 11,255
In the Circuit Court for
Somerset County, Maryland

ORDER TO DOCKET

Mr. Clerk:

Please file the attached Mortgage, Non-Military Service Affidavit, and Statement of Mortgage Debt, and enter the appearance of R. Patrick Hayman for the purpose of foreclosure and collection.

R. Patrick Hayman

R. Patrick Hayman
Prince William Street
Princess Anne, Md. 21853
Telephone: 651-3271

FOR MORTGAGE SEE LIBER ITP NO. 295, FOLIO 175

In the Foreclosure of a Mortgage
from Shoreland Company,
Incorporated, Ex Parte

Chancery No. 11255
In the Circuit Court for
Somerset County, Maryland

STATEMENT OF MORTGAGE DEBT

July 22, 1976 - Original amount of Mortgage		$2,200.00
Interest at 9% for 4 years 6 months		891.00
		$3,091.00
Less amount paid, 1 year's interest		198.00
Amount due on Mortgage		$2,893.00
State & County Taxes, July 1, 1978 through June 30, 1982	$145.29	
Town of Princess Anne Taxes, July 1, 1977 through June 30, 1982	65.50	
Somerset County Sanitary District, 1977 through 1982	229.08	439.87
Total due		$3,332.87

STATE OF MARYLAND, Somerset County:

I hereby certify that on this 22nd day of January, 1982, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared R. Patrick Hayman, attorney for Mortgagee, Estate of C. Edwin Hayman, and he made oath in due form of law that the foregoing is a true statement of the amount of the mortgage claim under the Mortgage filed in the said cause now remaining due and unpaid.

Witness my hand and Notarial Seal.

Lulamae Dize
Notary Public

LIBER 048 PAGE 85

LIBER 048 PAGE 86

In the Foreclosure of a Mortgage from Shoreland Company, Incorporated, Ex Parte

Chancery No. 11255

In the Circuit Court for Somerset County, Maryland

NON-MILITARY SERVICE AFFIDAVIT

STATE OF MARYLAND, Somerset County:

I hereby certify that on this 22nd day of January, 1982, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared R. Patrick Hayman, and he made oath in due form of law that he knows O. Hoyt Bloodsworth, President of Shoreland Company, Incorporated, and that to the best of his knowledge, information, and belief:

(1) O. Hoyt Bloodsworth is not in the military service of the United States of America.

(2) O. Hoyt Bloodsworth is not in the military service of any National allied with the United States of America.

(3) O. Hoyt Bloodsworth has not been ordered to report for induction under the Selective Training and Service Act.

(4) O. Hoyt Bloodsworth is not a member of the Enlisted Reserve Corps who has been ordered to report for military service.

Witness my hand and Notarial Seal.

LULA MAE DIZE NOTARY PUBLIC SOMERSET COUNTY, MD.

Lula Mae Dize
Notary Public

R. PATRICK HAYMAN
Attorney at Law
Princess Anne, Maryland

MORTGAGE FORECLOSURE SALE
OF
VALUABLE PROPERTY IN
PRINCESS ANNE, MARYLAND

Under and by virtue of the Power of Sale contained in a Mortgage from Shoreland Company, Incorporated, a Maryland Corporation, to the Estate of C. Edwin Hayman, dated July 22, 1976, recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 295, page 175, default having occurred therein, I hereby give notice that I will on

1:30 P.M.
FRIDAY, MARCH 12, 1982
AT THE DOOR OF THE SOMERSET COUNTY
COURTHOUSE, PRINCESS ANNE, MARYLAND

offer the following land for sale at public auction to the highest bidder therefor:

ALL that lot or parcel of land situate, lying, and being in the Town of Princess Anne, East Princess Anne Election District, Somerset County, Maryland, binding on the North end of Beechwood Street, and beginning on said Street at the Northwest corner of the land now or formerly of Lee L. Hayman; thence in a Northerly direction by and with said Beechwood Street 82 feet to a post set up; thence in an Easterly direction in a line parallel to the said Lee H. Hayman land to the Bombahook Creek; thence in a Southerly direction by and with said Creek to the said Lee L. Hayman land; thence in a Westerly direction by and with said Lee L. Hayman land to the place of beginning; the land hereby conveyed being a part of the land which was conveyed to William H. James, Jr. by L. Creston Beauchamp, Trustee, by deed dated November 20, 1945, and recorded among the Land Records of Somerset County in Liber No. 132, folio 550; being the same land which was conveyed by William H. James, Jr., et al. to C. H. Hayman and Sons Company, by

deed dated August 4, 1949, and recorded among the aforesaid Land Records in Liber 148, folio 214; and being the same land which was conveyed by the Trustees of the Estate of C. Edwin Hayman to Mary A. Maddox, by deed dated January 13, 1976, and recorded among the aforesaid Land Records in Liber 292, page 137; and being the same premises which was conveyed by Mary A. Maddox to Shoreland Company, Incorporated, a Maryland Corporation, by deed dated July 22, 1976, and recorded among the aforesaid Land Records in Liber I.T.P. No. 295, page 173.

TERMS OF SALE: 20% cash on day of sale, balance upon ratification, unpaid portion to bear interest at the rate of 8% per annum, taxes and public assessments adjusted to date of sale, all title papers, revenue stamps, and recording costs at the expense of purchaser.

Publish: February ~~XX~~, 23, March 2 and 9

Maryland

No. 11,255 Chancery Case

WESTERN SURETY COMPANY

One of America's Oldest Bonding Companies

CHICAGO • SIOUX FALLS • DALLAS
PALO ALTO • VALLEY FORGE

TRUSTEES, MORTGAGEES, ATTORNEYS OR FORECLOSURE BOND

KNOW ALL MEN BY THESE PRESENTS: FORM No. 19-TM-5980

That we, R. PATRICK HAYMAN, as Principal, and the WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, as Surety, authorized to do business in the State of Maryland, are held and firmly bound in the sum of FIVE THOUSAND AND no/100 ($ 5,000.00) DOLLARS,
(NOT VALID IF FILLED IN FOR MORE THAN $500,000.00)
to be paid to the said State of Maryland or its certain Attorney, to which payment well and truly to be made, we bind ourselves and our legal representatives, jointly and severally, by these presents.

Sealed with our seals and dated this 27th. day of JANUARY, 19 82.

WHEREAS, the above bounden R. PATRICK HAYMAN

by virtue of the power contained in a mortgage from THE ESTATE OF C. EDWIN HAYMAN

to SHORELAND COMPANY INCORPORATED

bearing date the 23rd. day of JULY, 1976 and recorded among

the mortgage records of SOMERSET COUNTY, MARYLAND

in Liber 295 No. PG. 175 Folio

and R. PATRICK HAYMAN

is about to sell the land and premises described in said mortgage, default having been made in the payment of the money as specified, and in the conditions and covenants therein contained.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bounden R. PATRICK HAYMAN

do and shall well and truly and faithfully perform the trust reposed in him under the mortgage aforesaid, and shall abide by and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of said mortgaged property, or the proceeds thereof, then the above obligation to be void, otherwise to be and remain in full force and virtue in law.

Signed, Sealed and delivered in the presence of:

As to Principal

Lulu Mae Dize

R. PATRICK HAYMAN Principal

As to Surety

P. Mullen

A. Jacobson

Principal

WESTERN SURETY COMPANY

By B J Mehlhaff Vice President

Countersigned by Susan L. Meagan Maryland Resident Agent

THE WITHIN BOND APPROVED.

PER: J. Theodore Shockley, CLERK. FEB 18 11 37 AM '82

RECORDED IN
LIBER ___ FOLIO ___
LTH GEORGE PROBEN, CLK. CI. CT.
BY ___ DEPUTY

1268—10-77

LIBER 048 PAGE 89

Bond Book 11, Page 131

In the Foreclosure of a Mortgage from Shoreland Company, Incorporated, Ex Parte

Chancery No. 11,255
In the Circuit Court for Somerset County, Maryland

AFFIDAVIT OF SERVICE

STATE OF MARYLAND, Somerset County:

R. Patrick Hayman, being duly sworn, deposes and says:

That on February 19, 1982, he did mail an exact copy of the Statement of Debt and advertisement of sale to O. Hoyt Bloodsworth, President of Shoreland Company, Incorporated., at Box 21, Allen, Maryland 21810.

Witness my hand and Notarial Seal.

Lula Mae Dize
Notary Public

LULA MAE DIZE NOTARY PUBLIC SOMERSET COUNTY, MD.

PS Form 3811, Jan. 1979

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)
- ☐ Show to whom and date delivered.....—¢
- ☐ Show to whom, date and address of delivery....—¢
- ☐ RESTRICTED DELIVERY
  Show to whom and date delivered.....—¢
- ☐ RESTRICTED DELIVERY.
  Show to whom, date, and address of delivery.$__

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
O Hoyt Bloodsworth
Box 21
alb Md 21810

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	393 2521	

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent

4. DATE OF DELIVERY
2-22-82

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

☆GPO : 1979-300-489

P18 3932521

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO
O Hoyt Bloodsworth
STREET AND NO.
Box 21
P.O., STATE AND ZIP CODE
alb Md 21810

POSTAGE		$ .20
CONSULT POSTMASTER FOR FEES — CERTIFIED FEE		.75 ¢
OPTIONAL SERVICES — SPECIAL DELIVERY		¢
OPTIONAL SERVICES — RESTRICTED DELIVERY		¢
RETURN RECEIPT SERVICE	SHOW TO WHOM AND DATE DELIVERED	.60 ¢
RETURN RECEIPT SERVICE	SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	¢
RETURN RECEIPT SERVICE	SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	¢
RETURN RECEIPT SERVICE	SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	¢
TOTAL POSTAGE AND FEES		$ 1.55

POSTMARK OR DATE
PRINCESS ANNE, MD.
FEB 19 1982

PS Form 3800, Apr. 1976

LIBER 048 PAGE 91

In the foreclosure of a Mortgage from Shoreland Company, Incorporated, Ex Parte

Chancery No. 11,255
In the Circuit Court for Somerset County, Maryland

REPORT OF SALE

The report of sale of R. Patrick Hayman, Attorney named in a mortgage made and executed by Shoreland Company, Incorporated, a Maryland Corporation, to the Estate of C. Edwin Hayman, dated July 22, 1976, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 295, page 175, under and by virtue of a power of sale therein contained, default having been made in the payment of the money secured by said mortgage, or in the payment of the interest thereon, or in some other covenant of said mortgage whereby the said mortgage debt has become due and demandable, respectfully represents unto the Court as follows:

That after giving bond with security approved by the Clerk of the Circuit Court for Somerset County, Maryland, for the faithful performance of the attorney, as aforesaid, reposed in him by and pursuant to said mortgage and as required by law, and after giving twenty days notice of the time, place, manner, and terms of sale by advertisement in the Marylander and Herald once in each consecutive week before the day of the sale, he did, pursuant to said notice, attend at the door of the Somerset County Court House, in Princess Anne, Maryland, on Friday, March 12, 1982, at 1:30 P.M., then and there proceed to sell the property described in said mortgage, to wit:

ALL that lot or parcel of land situate, lying, and being in the Town of Princess Anne, East Princess Anne Election District, Somerset County, Maryland, binding on the North end of Beechwood Street, and beginning on said Street at the Northwest corner of the land now or formerly of Lee L. Hayman; thence in a Northerly direction by and with said Beechwood Street 82 feet to a post set up; thence in an Easterly

direction in a line parallel to the said Lee H. Hayman land to the Bombahook Creek; thence in a Southerly direction by and with said Creek to the said Lee L. Hayman land; thence in a Westerly direction by and with said Lee L. Hayman land to the place of beginning; the land hereby conveyed being a part of the land which was conveyed to William H. James, Jr. by L. Creston Beauchamp, Trustee, by deed dated November 20, 1945, and recorded among the Land Records of Somerset County in Liber No. 132, folio 550; being the same land which was conveyed by William H. James, Jr., et al. to C. H. Hayman and Sons Company, by deed dated August 4, 1949, and recorded among the aforesaid Land Records in Liber 148, folio 214; and being the same land which was conveyed by the Trustees of the Estate of C. Edwin Hayman to Mary A. Maddox, by deed dated January 13, 1976, and recorded among the aforesaid Land Records in Liber 292, page 137; and being the same premises which was conveyed by Mary A. Maddox to Shoreland Company, Incorporated, a Maryland Corporation, by deed dated July 22, 1976, and recorded among the aforesaid Land Records in Liber I.T.P. No. 295, page 173.

And the said property was sold to William H. Wilson, Jr., he being then and there the highest bidder therefor, at and for the sum of $1,000.00, and the purchaser has complied with the terms of sale.

R. Patrick Hayman

In the Foreclosure of a Mortgage	Chancery No. 11,255
from Shoreland Company,	In the Circuit Court for
Incorporated, Ex Parte	Somerset County, Maryland

ORDER NISI

ORDERED that the sale of the property mentioned in these proceedings and the distribution of the process thereof be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 15th day of April, 1982, provided a copy of this Order be inserted in some weekly newspaper printed in Somerset County once in each of three successive weeks before the 5th day of April, 1982.

The report states the amount of sale to be $1,000.00.

I. Theodore Phoebus

I. Theodore Phoebus, Clerk

Dated: March 15, 1982

In the Foreclosure of a Mortgage
from Shoreland Company,
Incorporated, Ex Parte

Chancery No. 11,255
In the Circuit Court for
Somerset County, Maryland

PURCHASER'S AFFIDAVIT

STATE OF MARYLAND, Somerset County:

I hereby certify that on this 12th day of March, 1982, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared William H. Wilson, Jr., he being the purchaser of the real estate in the above entitled proceeding, and made oath in due form of law as follows:

1. That in making said purchase he was not acting as agent for anyone but himself.

2. That he did not directly or indirectly discourage anyone from bidding for said property.

As witness my hand and Notarial Seal.

LULA MAE DIZE NOTARY PUBLIC SOMERSET COUNTY, MD.

Lula Mae Dize
Notary Public

No. 11,255 Chancery

LIBER 048 PAGE 96

PRINCESS ANNE, MD., Mar 20 1982

This is to certify that the annexed Notice

has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Notice

Dates Inserted: Feb 25, Mar 4, 11 1982

Business Manager MARYLANDER and HERALD

R. Patrick Hayman
Attorney at Law
Princess Anne, Maryland

MORTGAGE FORECLOSURE SALE
OF
VALUABLE PROPERTY
IN
PRINCESS ANNE, MARYLAND

Under and by virtue of the Power of Sale contained in a Mortgage from Shoreland Company, Incorporated, a Maryland Corporation, to the Estate of C. Edwin Hayman, dated July 22, 1976, recorded among the Land Records of Somerset County, Maryland, in Liber I. T. P. No. 295, page 175, default having occurred therein, I hereby give notice that I will on

1:30 P.M.
FRIDAY, MARCH 12, 1982
AT THE DOOR
OF THE
SOMERSET COUNTY COURTHOUSE
PRINCESS ANNE, MARYLAND

offer the following land for sale at public auction to the highest bidder therefor:

All that lot or parcel of land situate, lying, and being in the Town of Princess Anne, East Princess Anne Election District, Somerset County, Maryland binding binding on the North end of Beechwood Street, and beginning on said Street at the Northwest corner of the land now or formerly of Lee L. Hayman; thence in a Northerly direction by and with said Beechwood Street 82 feet to a post set up; thence in an Easterly direction in a line parallel to the said Lee H. Hayman land to the Bombahook Creek; thence in a Southerly direction by and with said Creek to the said Lee L. Hayman land; thence in a Westerly direction by and with said Lee L. Hayman land to the place of beginning; the land hereby conveyed being a part of the land which was conveyed to William H. James, Jr. by L. Creston Beauchamp, Trustee, by deed dated November 20, 1945, and recorded among the Land Records of Somerset County in Liber No. 132, folio 550; being the same land which was conveyed by William H. James, Jr., et al. to C. H. Hayman and Sons Company, by deed dated August 4, 1949, and recorded among the aforesaid Land Records in Liber 148, folio 214; and being the same land which was conveyed by the Trustees of the Estate of C. Edwin Hayman to Mary A. Maddox, by deed dated January 13, 1976, and recorded among the aforesaid Land Records in Liber 292, page 137; and being the same premises which was conveyed by Mary A. Maddox to Shoreland Company, Incorporated, a Maryland Corporation, by deed dated July 22, 1976, and recorded among the aforesaid Land Records in Liber I. T. P. No. 295, page 173.

TERMS OF SALE: 20 percent cash on day of sale, balance upon ratification, unpaid portion to bear interest at the rate of 8 percent per annum, taxes and public assessments adjusted to date of sale, all title papers, revenue stamps, and recording costs at the expense of purchaser.

3 tc 2/25

FILED

APR 28 2 35 PM '82

RECORDED IN
LIBER NO. FOLIO
I. THEODORE PHOEBUS CLK. CI. CT.
BY _____ DEPUTY

In the Foreclosure of a Mortgage from Shoreland Company, Incorporated, Ex Parte

Chancery No. 11,255
In the Circuit Court for Somerset County, Maryland

ORDER NISI

ORDERED that the sale of the property mentioned in these proceedings and the distribution of the process thereof be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 15th day of April, 1982, provided a copy of this Order be inserted in some weekly newspaper printed in Somerset County once in each of three successive weeks before the 5th day of April, 1982.

The report states the amount of sale to be $1,000.00.

I. THEODORE PHOEBUS
Clerk

Dated: March 15, 1982

TRUE COPY, TEST:
I. Theodore Phoebus, Clerk

3 tc 3/18

PRINCESS ANNE, MD., April 2 **1982**

This is to certify that the annexed Notice

has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Notice

Dates Inserted: March 18, 25 & April 1

J. Bryan Byrd
Business Manager MARYLANDER and HERALD

LIBER 648 PAGE 97

In the Foreclosure of a Mortgage
from Shoreland Company,
Incorporated, Ex Parte

Chancery No. 11,255
In the Circuit Court for
Somerset County, Maryland

FINAL ORDER

Ordered by this Court this 28th day of April, 1982, that the sale made and reported by the attorney be and the same is hereby ratified and confirmed, no cause to the contrary having been shown.

Lloyd L. Simpson
Judge

IN THE FORECLOSURE OF A MORTGAGE FROM SHORELAND COMPANY, INCORPORATED, EX PARTE	*	CHANCERY NO. 11,255
	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COUNTY
	*	STATE OF MARYLAND
	*	

FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he made an examination of the proceedings in the above entitled cause and from them and the list of expenses furnished him therein, states the following Account:

Amount of Sale			$ 1,000.00
Fees, Costs, Expenses, Etc.:			
I. Theodore Phoebus, Clerk, Costs		$122.00	
Henderson Insurance Agency, Bond		30.00	
Marylander & Herald		146.00	
Advertising	$111.00		
Order Nisi	35.00		
Edwin B. Muir, Auctioneer		50.00	
R. Patrick Hayman, Attorney's Fees		75.00	
R. Patrick Hayman, Trustee's Commission - 10% of $1,000.00		100.00	
Postage, Certified Mail		1.55	
Logan C. Widdowson, Auditor		50.00	
Total Fees, Costs, Expenses, Etc.		$574.55	
Balance to be Distributed			425.45
Mortgage Debt as of January 22, 1982			2,893.00
Deficit			$ 2,467.55

ALL EXCEPTIONS to said report must be filed within fifteen (15) days of the date of filing; if no exceptions are filed, the Account may be ratified.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing on the date of the filing of the Audit notice of this report to the following parties by regular U.S. mail:

R. Patrick Hayman, Esquire
Prince William Street
Princess Anne, Maryland 21853

O. Hoyt Bloodsworth
President of Shoreland Company, Inc.
Box 21
Allen, Maryland 21810

Date of Filing: May 14, 1982

Logan C. Widdowson, Auditor

LOGAN C. WIDDOWSON
ATTORNEY AT LAW
NORTH SOMERSET AVENUE
PRINCESS ANNE MD. 21853
651-3600

LCW/gm
5/14/82
81 # 115

LIBER 048 PAGE 100

No. 11,255 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 14th day of May, 19 82 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the 1st day of June, 19 82.

L. Theodore Phoebus
CLERK

No exceptions having been filed, and no cause to the contrary having been shown, IT IS ORDERED by the Circuit Court for Somerset County, in Equity, this 3rd day of June, 19 82 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

L. Theodore Phoebus
CLERK

MAR - 3 1983
ex'd

The Somerset County Sanitary Commission,
Acting for and on Behalf of
Somerset County Sanitary District, Inc.,
a body corporate of the State of Maryland

vs

Raymond Crandall and Janice Crandall, his wife,
Rumbley Star Route, Westover, Maryland 21871

No. 11062 Chancery

in the Circuit Court for
Somerset County, Maryland

APR 13-81 B 524688D *****20.00
APR 13-81 B 524687D *****60.00

And the Real Estate and Improvements Hereinafter Described

BILL TO ENFORCE LIEN(S)

The petition of The Somerset County Sanitary Commission, by Robert C. Street, Chairman, Acting for and on behalf of Somerset County Sanitary District, Inc., a body corporate of the State of Maryland, hereinafter called "Petitioner", by Alexander G. Jones, Attorney for Petitioner, respectfully represents:

1. That the Petitioner, under the provisions of Article 43 of the Code of Public General Laws of Maryland, 1957 edition, as amended, is charged among other things, with the establishment and collection of charges for the use of its water and sewer systems, for connections to the systems and for an annual front foot assessment on all properties, improved or unimproved, served by its facilities, the receipts from said charges and assessments to be used, among other purposes, for the maintenance and operation of its systems and for the retirement of bonds issued by the Petitioner.

2. That the Petitioner has duly and lawfully established such charges and assessments and has extended its facilities and services to serve the property or properties of the defendant(s) named herein.

LIBER 048 PAGE 101

3. That the charges and assessments against such property or properties are as follows:

A—Water Service Charge(s) including penalty of $5.00 ..... $ 489.00

B—Sewer Service Charge(s) ..... $

C—Water Connection Charge(s) ..... $

D—Sewer Connection Charge(s) ..... $

E—Front Foot Assessment(s) including interest at the rate of one-half of one per cent per month from _____ (Date) ..... $

TOTAL $ 489.00

4. That on the date of establishment of the charges and assessments set forth above the defendant(s) named herein were the owners of record of the property or properties described as follows:

(A) All that tract or parcel of land in Fairmount ~~[illegible]~~ Election District, Somerset County, Maryland, more particularly described as:

All that lot or parcel of land situate lying on the West side of A Hill Road in Fairmount Election District, Somerset County, Maryland, assessed as containing six-tenths (6/10) of an acre, more or less; being bounded on the North by the land of Glenwood M. Ford, et ux (I.T.P. No. 309, folio 544; plat I.T.P. No. 243, folio 604) and on the South by the land of Martin L. and Emma Ford (B.L.B. No. 142, folio 317) and being depicted as aforesaid on Somerset County Tax Map No. 38, Block 20 as Parcel 23; and being the same and all the land which was conveyed unto Raymond Crandall et ux by Lester W. Hicks, et ux by deed dated May 25, 1977 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 300, folio 427.

5 That according to the applicable provisions of Article 43 said charge or charges or assessments are first liens against the property or properties described above, and a public record of said lien(s) is filed among the records of the Clerk of the Circuit Court for Somerset County in a book provided for such purposes entitled "Somerset County Sanitary District, Inc.— Notice of Liens".

6. That despite written notice of such charges, assessments and liens from the Petitioner to the defendant(s) said charges are overdue and in default and this suit is brought to enforce said lien(s).

WHEREFORE, the Petitioner prays a decree of this Honorable Court ordering:

(1) That the property or properties described above be sold according to law and that the proceeds from said sale be applied to satisfy the Petitioner's said lien(s) including any penalty or interest due thereon, together with the expenses of sale and costs of this action and any fees or charges authorized or permitted by the Rules of Court.

(2) That the Petitioner have judgment against the defendant(s) for any deficiency remaining.

(3) And for such other relief as may be proper.

Somerset County Sanitary Commission,
Acting For and On Behalf of
Somerset County Sanitary District, Inc.

By .....
Alexander G. Jones
Attorney for Petitioner
Princess Anne, Maryland
Telephone 651-2747

Petitioner's Motion for Summary Judgment

The Petitioner moves for summary judgment on the ground that the Defendant(s) has no defense to its claim, and that there is no genuine dispute between the parties as to any material fact, and that it is entitled to judgment as a matter of law.

.....
Attorney for Petitioner

Affidavit in Support of Petitioner's Motion for Summary Judgment

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 13th day of April, in the year nineteen hundred and eighty-one, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Robert C. Street (name), Chairman (title) of Somerset County Sanitary Commission, and made oath in due form of law that there is now justly due and owing to the Petitioner from the Defendant(s) named in the attached Bill to Enforce Lien(s) the sum of $489.00, being charges or assessments for facilities and services provided by the Petitioner to the Defendant(s) and to the property or properties described in said Bill, that said charges are in default and are statutory first liens against said property or properties; that in his official capacity the affiant herein is familiar with the matters set forth in said Bill, that he has personal knowledge of them, and is competent to testify to them, and that he is duly authorized to make this affidavit.

As witness my hand and Notarial Seal the day and year above written.

Jacqueline H. Cromwell
Notary Public

JACQUELINE H. CROMWELL NOTARY PUBLIC SOMERSET COUNTY, MD.

FILED

To the Defendant(s):

Take notice that unless you make your defense within the time allowed by law or Rule of Court, judgment will be entered against you. If you assert a defense, this motion may be heard by the Court fifteen days after its service on you, but not earlier than the expiration of the time allowed by law or Rule of Court to plead in answer to the Bill of Complaint.

.....
Attorney for Petitioner

LIBER 048 PAGE 104

WRIT OF SUBPOENA: No. 11,062 Chancery Case

The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland, Somerset County, to wit:

TO Raymond Crandall
and
Janice Crandall, his wife,
Rumbley Star Route
Westover, Maryland 21871

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of May next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of The Somerset County Sanitary Commission, acting for and on Behalf of Somerset County Sanitary District, Inc. a body corporate of the State of Maryland

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable Daniel T. Prettyman Chief Judge of the First Judicial Circuit of Maryland.

Issued the 13th day of April, 19 81

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the 19th day of May, 1981. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Alexander G. Jones
Name Jones & Jones

Princess Anne, Maryland 21853
Address

03 117

APR 28 1 33 PM '81

S. Theodore Phoebus
Clerk

address via Lawson
NON-E.S.T.
4/26/81
Otto A. Bradley

WRIT OF SUBPOENA: No. 11,062 Chancery Case

The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland,
Somerset County, to wit:

TO Raymond Crandall
and
Janice Crandall, his wife,
Rumbley Star Route
Westover, Maryland 21871

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of....June.....next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of The Somerset County Sanitary Commission, acting for and on Behalf of Somerset County Sanitary District, Inc. a body corporate of the State of Maryland

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable Daniel T. Prettyman Chief Judge of the First Judicial Circuit of Maryland.

Issued the 29th day of April, 1981

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the 16th day of June, 1981. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Alexander G. Jones
Name Jones & Jones

Princess Anne, Maryland 21853
Address

T. Theodore Phoebus
Clerk

Mon L.S.
6/1/81
Elton P. Miller - Deputy

→ The Defendant(s) are not living in the area

LIBER 048 FOLIO 105

LIBER 048 PAGE 106

The Somerset County Sanitary Commission,
Acting for and on Behalf of
Somerset County Sanitary District, Inc.,
a body corporate of the State of Maryland

vs

Raymond Crandall and Janice Crandall

No. 11,062 Chancery
In the Circuit Court for
Somerset County, Maryland

And the Real Estate and Improvements Hereinbefore Described

Petition to Proceed Against Defendant(s) As Nonresident(s)

The petition of The Somerset County Sanitary Commission, by Robert C. Street Chairman, Acting for and on behalf of Somerset County Sanitary District, Inc., a body corporate of the State of Maryland, hereinafter called "Petitioner", by Alexander G. Jones, Attorney for Petitioner, respectfully represents:

1. That the Defendant(s) Raymond and Janice Crandall were believed by the Petitioner to be residents of this jurisdiction.

2. That two successive subpoenas issued for said Defendant(s) have been returned "non est" as set forth in the docket entries in this proceeding.

3. That reasonable efforts have been made to issue service of process upon said Defendant(s) as set forth in the affidavit of Thomas Foxwell, ~~Deputy~~ Sheriff of Somerset County, attached hereto.

Wherefore, the Petitioner prays an order of this Court that the Defendant(s) named herein be proceeded against as nonresident(s) as provided by the Maryland Rules of Procedure in such cases provided by giving notice of the pendency of the above entitled action by publication.

Alexander G. Jones
Attorney for Petitioner

Affidavit

I, Thomas Foxwell, ~~Deputy~~ Sheriff of Somerset County, do hereby make affidavit that I have made reasonable and bona fide efforts to effect service of process upon the Defendant(s) named in the aforegoing petition in the above entitled case, that I/or my deputy have twice personally visited the property of the said Defendant(s) but was unable to to find said Defendant(s) and that as a result of my inquiries and investigations I believe the Defendant(s) cannot be served by personal service of process within this jurisdiction.

Thomas H. Foxwell, Jr.
~~Deputy~~ Sheriff of Somerset County

Subscribed and sworn to before me
this 21st day of July, 1981

Notary Public

Order

Upon the aforegoing petition and affidavit, it is this 22nd day of July, 1981, ORDERED by the Circuit Court for Somerset County that the Defendant(s) Raymond Crandall & Janice Crandall be proceeded against as nonresident(s) by giving notice by publication at least once a week in each of ~~four~~ 3 successive weeks in a newspaper published in Somerset County, Maryland, before the 17th day of August, 1981, stating the substance and object of the original Bill and warning the said Defendant(s) to file an initial pleading to said Bill on or before the 17th day of September, 1981.

Lloyd R. Humphreys
Judge

ALEXANDER G. JONES
Attorney

No. 11062 Chancery
The Somerset County Sanitary Commission,
Acting for and on Behalf of
Somerset County Sanitary District, Inc.,
a body corporate of the State of Maryland

vs.

Raymond Crandall and Janice Crandall
Princess Anne, Somerset County, Maryland

The object of this suit is to procure a decree for the sale of certain hereinafter described real estate, owned by the Defendants named in this proceeding to satisfy the lien of the Petitioner against said property including any penalty or interest due thereon, together with the expenses of sale and costs of this action and any fees or charges authorized or permitted by the rules of Court.

The Bill of Complaint in No. 11062 Chancery recites that the following described real estate was conveyed unto the Respondents by Lester W. Hicks, et ux, by deed dated May 25, 1977 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 300, folio 427, consisting of all that tract or parcel of land on the West side of A Hill Road in Fairmount Election District, Somerset County, Maryland, being 6/10 of an acre depicted on Somerset County Tax Map 38 in Block 20 as Parcel 23.

The Bill of Complaint further recites that the Petitioner, under the provisions of Article 43 of the Code of the Public General Laws of Maryland, 1957 Edition, as amended, is charged among other things, with the establishment and collection of charges for the use of its water and sewer systems, for connections to the systems and for an annual front foot assessment on all property, improved, or unimproved, served by its facilities, the receipts from said charges and assessments to be used, among other purposes, for the maintenance and operation of its systems and for the retirement of bonds issued by the Petitioner; that

the Petitioner has duly and lawfully established such charges and assessments and has extended its facilities and services to serve the property or properties of the Defendants named herein; that the charges and assessments against such property or properties are as follows:

No. 11062 Chancery	
Quarterly water and sewer charges	$ 489.00
Charges accruing since filing of suit	78.00
	$ 567.00

The Bill of Complaint further recites, that according to the applicable provisions of Article 43, said charges or assessments are first liens against the property or properties described above, and a public record of said liens is filed among the records of the Clerk of the Circuit Court for Somerset County in a book provided for such purposes entitled "Somerset County Sanitary District, Inc. - Notice of Liens".

That despite written notice of such charge, assessment and lien from the Petitioner to the Defendants, said charge is overdue and in default and this suit is brought to enforce said lien.

The Petitioner in this proceeding has petitioned to proceed against Raymond Crandall and Janice Crandall in No. 11062 Chancery as non-residents.

Upon the aforegoing Petition and Affidavit, it is this 24th day of July, 1981, ORDERED by the Circuit Court for Somerset County that the Defendants Raymond Crandall and Janice Crandall be proceeded against as non-residents by giving notice by publication at least once a week in each of three successive weeks in a newspaper published in Somerset County, Maryland, before the 17th day of August, 1981, stating the substance and object of the original Bill and warning the said Defendants to file an initial pleading to said Bill on or before the 17th day of September, 1981.

L. Theodore Phelps
Clerk of Circuit Court

FILED

SEP 14 10 41 AM '81

RECORDED IN
LIBER NO. ____ FOLIO ____
I.THEODORE PHOEBUS.CLK.CI.CT.
BY ____ DEPUTY

PRINCESS ANNE, MD., Sept 11 1981

This is to certify that the annexed Notice

has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Notice

Dates Inserted: July 30-Aug 6,13 1980

Business Manager MARYLANDER and HERALD

LIBER 048 PAGE 109

ALEXANDER G. JONES
Attorney

No. 11062 Chancery
The Somerset County
Sanitary Commission,
Acting for and on
Behalf of
Somerset County Sanitary
District, Inc.,
a body corporate of
the State of Maryland

vs.

Raymond Crandall and
Janice Crandall
Princess Anne
Somerset County, Maryland

The object of this suit is to procure a decree for the sale of certain hereinafter described real estate, owned by the Defendants named in this proceeding to satisfy the lien of the Petitioner against said property including any penalty or interest due thereon, together with the expenses of sale and costs of this action and any fees or charges authorized or permitted by the rules of Court.

The Bill of Complaint in No. 11062 Chancery recites that the following described real real estate was conveyed unto the Respondents by Lester W. Hicks, et ux, by deed dated May 25, 1977 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 300, folio 427, consisting of all that tract or parcel of land on the West side of A Hill Road in Fairmount Election District, Somerset County, Maryland, being 6/10 of an acre depicted on Somerset County Tax Map 38 in Block 20 as Parcel 23.

The Bill of Complaint further recites that the Petitioner, under the provisions of Article 43 of the Code of the Public General Laws of Maryland, 1957 Edition, as amended, is charged among other things, with the establishment and collection of charges for the use of its water and sewer systems, for connections to the systems and for an annual front foot assessment on all property, improved, or unimproved, served by its facilities, the receipts from said charges and assessments to be used, among other purposes, for the maintenance and operation of its systems and for the retirement of bonds issued by the Petitioner; that the Petitioner has duly and lawfully established such charges and assessments and has extended its facilities and services to serve the property or properties of the Defendants named herein; that the charges and assessments against such property or properties are as follows:
follows:

No. 11062 Chancery	$489.00
Quarterly water and sewer charges	78.00
Charges accruing since filing of suit	$567.00

The Bill of Complaint further recites, that according to the applicable provisions of Article 43, said charges or assessments are first liens against the property or properties described above, and a public record of said liens is filed among the records of the Clerk of the Circuit Court for Somerset County in a book provided for such purposes entitled "Somerset County Sanitary District, Inc. - Notice of Liens".

That despite written notice of such charge, assessment and lien from the Petitioner to the Defendants, said charge is overdue and in default and this suit is brought to enforce said lien.

The Petitioner in this proceeding has petitioned to proceed against Raymond Crandall and Janice Crandall in No. 11062 Chancery as non-residents.

Upon the aforegoing Petition and Affidavit, it is this 24th day of July, 1981, ORDERED by the Circuit Court for Somerset County that the Defendants Raymond Crandall and Janice Crandall be proceeded against as non-residents by giving notice by publication at least once a week in each of three successive weeks in a newspaper published in Somerset County, Maryland, before the 17th day of August, 1981, stating the substance and object of the original Bill and warning the said Defendants to file an initial pleading to said Bill on or before the 17th day of September, 1981.

I. THEODORE PHOEBUS
Clerk of Circuit Court

TRUE COPY TEST: I. Theodore Phoebus, Clerk

3tc 7/30

LIBER 048 PAGE 110

The Somerset County Sanitary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc.	*	No. 11,062 Chancery
vs.	*	In the Circuit Court for
Raymond Crandall Janice Crandall	*	Somerset County, Maryland

Mr. Clerk:

The Respondents have paid $50.00 in the above captioned case and $156.00 has accrued against said property for water service since the filing of this Bill of Complaint which is unpaid leaving a balance due of $595.00 plus court costs.

JONES & JONES

By Tony Bruce
Tony Bruce

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

FILED

JAN 25 1 44 PM '82

RECORDED IN
LIBER NO _____ FOLIO ____
I. THEODORE PROSPERUS, CLK. CI. CT.
BY _____ DEPUTY

The Somerset County Sanitary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc.	*	No. 11,062 Chancery
vs.	*	In the Circuit Court for
Raymond Crandall Janice Crandall	*	Somerset County, Maryland
	*	

It is ORDERED by the Circuit Court for Somerset County, State of Maryland, this 25th day of JAN., 1982, that judgment be entered in favor of the Petitioner and against the Defendants, Raymond Crandall and Janice Crandall, and against the real estate and improvements described in the aforegoing Bill, for the sum of $489.00 and costs of suit.

Lloyd L. Simpson
Judge

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

LIBER 048 PAGE 112

The Somerset County Sanitary Commission, Acting for and on behalf of Somerset County Sanitary District, Inc.	:	No. 11,062 Chancery Case
	:	In the Circuit Court for
	:	Somerset County
Vs.	:	State of Maryland
Raymond Crandall Janice Crandall	:	DATE: January 25, 1982
	:	
	:	
	:	

NOTICE OF JUDGMENT BY DEFAULT

OR

DECREE PRO CONFESSO

TO: Raymond Crandall

Janice Crandall

In accordance with Maryland Rules of Procedure, you are notified that a ~~judgment by default~~/summary judgment/~~decree pro confesso~~/~~summary decree~~ was entered against you in the above entitled case on January 25, 1982.

If you wish to take exception to this Judgment/~~Decree by default~~, you have thirty days from the date of the Judgment/~~Decree~~ within which to do so.

L. Theodore Phoebus

L. Theodore Phoebus
Clerk of the Circuit Court for
Somerset County, Maryland

The Somerset County Sanitary Commission,
Acting for and on Behalf of
Somerset County Sanitary District, Inc.,
a body corporate of the State of Maryland

vs

Raymond Crandall
Janice Crandall

And the Real Estate and Improvements
Hereinbefore Described

No. 11,062 Chancery
In the Circuit Court for
Somerset County, Maryland

The above cause standing ready for hearing, the proceedings therein were by the Court read and considred:

It is thereupon, this 17th day of Feb, in the year nineteen hundred and 82, by the Circuit Court for Somerset County, Maryland, in Equity, ADJUDGED, ORDERED and DECREED, that the property in the proceedings mentioned be sold, and Alexander G. Jones be and he is hereby appointed Trustee to make sale, and that the course and manner of his proceedings shall be as follows: He shall first file with the Clerk of this Court a bond to the State of Maryland, executed by said Trustee and a surety or sureties to be approved by this Court, or by the Clerk thereof, in the penalty of $22,000.00 conditioned for the faithful performance of the trust reposed in him by this decree, or to be reposed in him by any future decree or order in the premises, he shall then proceed to make the said sale at public auction, having given at least three weeks' notice by advertisement, inserted in such newspaper or newspapers published in Somerset County, Maryland as he shall think proper, of the time, place, manner and terms of sale, and soon as may be convenient after such sale or sales, the said Trustee shall return to this Court a full and particular report of his proceedings relative to such sale, with an affidavit annexed of the truth thereof, and of the fairness of said sale; and on obtaining the Court's ratification of the sale, and on the payment of the whole purchase money, the said Trustee shall, by a good and sufficient deed, to be excuted, acknowledged and recorded, according to law, convey to the purchaser, or purchasers, his, her or their heirs and assigns, the property and estate to him, her or them sold, free, clear and discharged from all claims of the parties hereto, and those claiming by, from or under them, or either of them. And the said Trustee shall bring into this Court the money arising from said sale, to be distributed under the direction of the Court, after deducting costs of this suit, and such commissions to the said Trustee as this Court shall think proper to allow in consideration of the skill, attention and fidelity wherewith he shall appear to have discharged his trust.

Lloyd L. Simpkins
Judge

LIBER 048 PAGE 113

LIBER 048 PAGE 114

Bond Book No. 11, Page 136

KNOW ALL MEN BY THESE PRESENTS, That we, Alexander G. Jones, of Somerset County and State of Maryland, and The Fidelity and Deposit Company of Maryland, a body corporate, are held and firmly bound unto the State of Maryland, in the full and just sum of twenty-two thousand dollars ($22,000.00) current money to be paid to the State of Maryland or its certain attorney, to which payment well and truly to be made and done we bind ourselves and each of us, our and each of our heirs, executors, administrators and assigns, jointly and severally, firmly by these presents, sealed with our seals and dated this 5th day of April, in the year nineteen hundred and eighty-two.

Whereas, the above bounden, Alexander G. Jones, by virtue of a decree of the Circuit Court for Somerset County, has been appointed to sell the property mentioned in these proceedings in the case of The Somerset County Sanitary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc., a body corporate, vs. Raymond Crandall and Janice Crandall, No. 11,062 Chancery, now pending in said Court.

Now the condition of the above obligation is such that if the above bounden, Alexander G. Jones, do and shall, well and faithfully perform the trust reposed in him by said decree or order in the premises, then the above obligation shall be void otherwise to be and remain in full force and virtue in law.

(SEAL)
Alexander G. Jones

THE FIDELITY & DEPOSIT COMPANY OF MARYLAND

Witness: Patsy E. Oke

By
Attorney in Fact

THE FIDELITY & DEPOSIT COMPANY OF MARYLAND INCORPORATED 1890

THE WITHIN BOND APPROVED.

PER: J. Theodore Shockley, CLERK

FILED

APR 6 1 14 PM '82

RECORDED IN ITB
LIBER NO. 11 FOLIO 136
J. THEODORE SHOCKLEY, CLK. CIR. CT.
BY ____ DEPUTY

Filed in Chancery # 11,062

The Somerset County Sanitary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc., a body corporate of the State of Maryland	:	No. 11,062 Chancery In the Circuit Court for Somerset County, Maryland
vs	:	
Raymond Crandall Janice Crandall	:	

PURCHASERS' AFFIDAVIT

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 7th day of April, in the year nineteen hundred and eighty-two, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Jackson Lee Cook and Robert J. Wilson, the purchasers of the real estate in the above entitled proceeding and made oath in due form of law:

1. That in making said purchase they were not acting as agent for anyone.
2. That others interested in said purchase, as principals are none.
3. That they did not directly or indirectly discourage anyone from bidding for said property.

As witness my hand and Notarial Seal the day and year above written.

Patsy E. Oke
Notary Public

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

The Somerset County Sanitary Commission, : Acting for and on Behalf of Somerset County Sanitary District, Inc., : a body corporate of theState of Maryland :	No. 11,062 Chancery In the Circuit Court for Somerset County, Maryland
vs :	
Raymond Crandall Janice Crandall :	

To the Honorable, the Judge of said Court:

The report of Alexander G. Jones, Trustee appointed by a decree of this Court, passed in the above entitled cause, dated the 17th day of February, in the year nineteen hundred and eighty-two, to make sale of certain real estate therein mentioned, respectfully shows:

That after giving bond with security for the faithful performance of his trust, and after having complied with all the other prerequisites as required by law and the said decree, and giving notice of the time, place, manner and terms of sale by advertisement inserted in the Marylander & Herald, a weekly newspaper published in Somerset County, for three successive weeks before the day of sale and by dodgers placed on the bulletin board at the Court House in Princess Anne, he did, pursuant to said notice, attend in front of the Court House door, in Princess Anne, Maryland, on the 6th day of April, 1982, at the hour of 2:00 o'clock P.M., and then and there proceeded to sell said property, to wit:

All those lots or parcels of land situate, lying and being in Fairmount Election District, Somerset County, Maryland, more particularly described as follows:

First: All that lot or parcel of land, situate as aforesaid, described in 1973 as "situate in Fairmount Election District, Somerset County, Maryland, in the community of Rumbley, binding on the West side of the road leading through Rumbley by the church, and beginning on the West side of said road at the North-east corner of the land of Martin Ford; thence in a Northerly direction, by and with said county road, 37 yards to an iron pipe; thence in a Westerly direction in a line parallel to the land of Martin Ford, 46 yards to the marsh; thence in a southerly direction, by and with said marsh, to the land of Martin Ford; thence

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

in an Easterly direction, by and with said Martin Ford property, to the place of beginning, containing one-half acre, more or less."

Second: All that parcel of marshland, situate as aforesaid, on the West side of but not adjacent to the county road leading from the Rumbley Road to A Hill and on the East side of and adjacent to the mean high water mark of a gut which leads in a Southerly direction from the Manokin River and which generally parallels the aforesaid county road to A Hill, said parcel of marshland being bounded on the North by a continuation in a Westerly direction of the North line of the land described as "First" above to intersect the mean high water mark of the East side of said gut and being bounded on the South by a continuation in a Westerly direction of the South line of the land described as "First" above to intersect the mean high water mark of the East side of said gut, and being bounded on the West by the mean High water mark of said gut and being bounded on the East by the West line of the land described as "First" above.

The above described tracts of land being the same and all the land conveyed unto the said Raymond A. Crandall and Janice Crandall, his wife, by Lester W. Hicks and Effie B. Hicks, his wife, by deed dated May 25, 1977 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 300, folio 427, and sold the same to Jackson Lee Cook and Robert J. Wilson at and for the sum of Twelve Thousand dollars ($12,000.00), they being then and there the highest bidders therefor, and the purchasers have complied with the terms of sale to the satisfaction of your Trustee.

Respectfully submitted,

Alexander G. Jones, Trustee

LIBER 048 PAGE 118

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 7th day of April, 1982, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Alexander G. Jones, Trustee named in the above report of sale, and made oath in due form of law that the matters and facts stated in the aforegoing report are true as therein stated to the best of his knowledge, information and belief, and that the sale therein reported was fairly made.

Witness my hand and Notarial Seal the day and year above written.

NOTARY PUBLIC SOMERSET COUNTY, MD.

Patsy E. Oke

Notary Public

LIBER 048 PAGE 119

PRINCESS ANNE, MD., April 2 1982

This is to certify that the annexed Notice

has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Notice

Dates Inserted: March 18, 25 & April 1

J. Bryan Byrd

Business Manager MARYLANDER and HERALD

Alexander G. Jones
Attorney

TRUSTEE'S SALE OF VALUABLE RESIDENTIAL PROPERTY

By virtue of the power contained in a decree of the Circuit Court for Somerset County, Maryland, in Equity, passed in a cause in which Raymond Crandall and Janice Crandall are the Defendants, the same being No. 11,062 Chancery on the Chancery Docket of said Court,

The undersigned Trustee named in said decree will sell at public auction in front of the Courthouse door, in Princess Anne, Maryland, on

TUESDAY, APRIL 6, 1982

at or about the hour of 2:00 o'clock p.m. all those lots or parcels of land situate, lying and being in Fairmount Election District, Somerset County, Maryland, more particularly described as follows:

First: All that lot or parcel of land situate as aforesaid, described in 1973 as "situate in Fairmount Election District, Somerset County, Maryland, in the community of Rumbley, binding on the West side of the road leading through Rumbley by the church, and beginning on the West side of said road at the Northeast corner of the land of Martin Ford; thence in a Northerly direction, by and with said county road, 37 yards to an iron pipe; thence in a Westerly direction in a line parallel to the land of Martin Ford, 46 yards to the marsh; thence in a Southerly direction, by and with said marsh, to the land of Martin Ford; thence in an Easterly direction, by and with said Martin Ford property, to the place of beginning, containing one-half acre, more or less".

Second: All that parcel of marshland, situate as aforesaid, on the West side of but not adjacent to the county road leading from the Rumbley Road to A Hill and on the East side of and adjacent to the mean high water mark of a gut which leads in a Southerly direction from the Manokin River and which generally parallels the aforesaid county road to A Hill, said parcel of marshland being bounded on the North by a continuation in a Westerly direction of the North line of the land described as "First" above to intersect the mean high water mark of the East side of said gut and being bounded on the South by a continuation in a Westerly direction of the Southline of the land described as "First" above to intersect the mean high water mark of the East side of said gut, and being bounded on the West by the mean high water mark of said gut and being bounded on the East by the West line of the land described as "First" above.

The above described tracts of land being the same and all the land conveyed unto the said Raymond A. Crandall and Janice Crandall, his wife, by Lester W. Hicks and Effie B. Hicks, his wife, by deed dated May 25, 1977 and recorded among the Land Records of Somerset County in Liber I. T. P. No. 300, folio 427.

The above described property is improved by a one story frame dwelling with asphalt shingles, constructed around 1950.

TERMS OF SALE: Cash, certified or cashier's check payable to Alexander G. Jones, Trustee, in an amount equal to at least one-third of the bid, the balance to be due and payable on or before ratification of the sale by the Circuit Court, with interest at eight percent on the unpaid balance.

Title papers, documentary stamps, transfer tax, recording costs, agricultural transfer tax, if any, at expense of purchaser. State and County taxes will be pro rated and adjusted as of the date of ratification of sale.

Pete Richarson, Auctioneer
546-2425

Alexander G. Jones, Trustee
Princess Anne, Maryland 21853
Telephone: 651-2747

3 tc 3/18

Jones & Jones
Attorneys at Law
Princess Anne, Md. 21853

ORDER NISI

LIBER 048 PAGE 120

The Somerset County Sanitary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc., a body corporate of the State of Maryland :	No. 11,062 Chancery In the Circuit Court for Somerset County, Maryland
vs :	
Raymond Crandall Janice Crandall :	

Ordered this 7th day of April, 1982, by the Circuit Court for Somerset County, Maryland, that the sale of the property mentioned in these proceedings, made and reported by Alexander G. Jones, Trustee appointed by a decree of this Court to make said sale, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 7th day of May, 1982, provided a copy of this order be inserted in some weekly newspaper printed in Somerset County once in each of three successive weeks on or before the 3rd day of May, 1982.

The report states the amount of sale to be $12,000.00.

L. Theodore Thorbus
Clerk of the Circuit Court for
Somerset County, Maryland

FINAL ORDER

Ordered by the Circuit Court for Somerset County, this 19th day of May, 1982, that the sale made and reported by the Trustee aforesaid, be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown, although due notice appears to have been given as required by the order nisi passed in said cause.

Lloyd L. Sutton
Judge

Jones & Jones
Attorneys at Law
Princess Anne, Md. 21853

ORDER NISI

The Somerset County Sanitary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc., a body corporate of the State ofMaryland	No. 11,062 Chancery
	In the Circuit Court for
	Somerset County, Maryland
vs	
Raymond Crandall Janice Crandall	

Ordered this 16th day of April, 1982, by the Circuit Court for Somerset County, Maryland, that the sale of the property mentioned inthese proceedings, made and reported by Alexander G. Jones, Trustee appointed by a decree of this Court to make said sale, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 17th day of May, 1982, provided a copy of this order be inserted in some weekly newspaper printed in Somerset County once in each of three successive weeks on or before the 14th day of May, 1982.

The report states the amount of sale to be $12,000.00.

I Theodore Phoebus
Clerk of the Circuit Court for
Somerset County, Maryland

LIBER 048 PAGE 122

PRINCESS ANNE, MD., May 8 1982

This is to certify that the annexed Notice has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Notice

Dates Inserted: Apr 22, 29, May 6 1982

J. Bryan Boyd
Business Manager MARYLANDER and HERALD

Jones & Jones
Attorneys at Law
Princess Anne, Md. 21853

The Somerset County Sanitary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc., a body corporate of the State of Maryland

vs

RAYMOND CRANDALL
JANICE CRANDALL

No. 11,062 Chancery
In the Circuit Court for
Somerset County, Maryland

ORDER NISI

ORDERED this 16th day of April, 1982, by the Circuit Court for Somerset County, Maryland, that the sale of the property mentioned in these proceedings, made and reported by Alexander G. Jones, Trustee appointed by a decree of this Court to make said sale, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 17th day of May, 1982, provided a copy of this order be inserted in some weekly newspaper printed in Somerset County once in each of three successive weeks on or before the 14th day of May, 1982.

The report states the amount of sale to be $12,000.00.

I. THEODORE PHOEBUS
Clerk of the
Circuit Court for
Somerset County, Maryland

TRUE COPY, TEST:
I. Theodore Phoebus
Clerk

3tc 4/22

SOMERSET COUNTY SANITARY DISTRICT, INC.	*	NO. 11,062 CHANCERY
vs.	*	IN THE CIRCUIT COURT
RAYMOND CRANDALL	*	FOR SOMERSET COUNTY
JANICE CRANDALL	*	STATE OF MARYLAND

FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he made an examination of the proceedings in the above entitled cause and from them and the list of expenses furnished him therein, states the following Account:

Amount of Sale			$ 12,000.00
Fees, Costs, Expenses, etc.:			
I. Theodore Phoebus, court costs		$ 156.00	
Marylander and Herald		314.00	
Order Publication	$144.00		
Advertising	135.00		
Order Nisi	35.00		
Fidelity and Deposit Company		88.00	
Pete Richardson, Auctioneer		75.00	
Court Auditor		50.00	
Notary Fees		4.50	
1980-81 State and County Taxes		215.11	
1981-82 State and County Taxes		206.21	
Trustee's Commission (10% of 1st $3,000 = $300; 5% of 9,000 = $450)		750.00	
Total Fees, Costs, Expenses, Etc.:		$1,858.82	
Balance to be Distributed			$ 10,141.18
Sanitary District Judgement	$ 489.00		
Accrued water and sewer charges	95.00		
Less Credit	50.00		
Total to be paid to Sanitary District	$ 634.00		
Surplus fund to property owners			$ 9,507.18
plus interest per terms of sale			88.90
			9,596.08

ALL EXCEPTIONS to said report must be filed within fifteen (15) days of the date of filing; if no exceptions are filed, the Account may be ratified.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing on the date of the filing of the Audit notice of this report to the following parties by regular U.S. mail:

Raymond Crandall Rumbley Star Route Westover, MD 21871	Janice Crandall Rumbley Star Route Westover, MD 21871	Tony Bruce, Esq. Somerset Ave. Princess Anne, MD 21853

LOGAN C. WIDDOWSON
ATTORNEY AT LAW
NORTH SOMERSET AVENUE
PRINCESS ANNE, MD. 21853
651-3870

LCW/gm
5/28/82
81 # 116

Logan C. Widdowson, Auditor

Date of Filing: 5/28/82

LIBER 048 PAGE 124

No. 11,062 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 28th day of May, 1982 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the 12th day of June, 1982.

L. Theodore Phoebus
CLERK

No exceptions having been filed, and no cause to the contrary having been shown, IT IS ORDERED by the Circuit Court for Somerset County, in Equity, this 16th day of June, 1982 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

L. Theodore Phoebus
CLERK

JUN 16 1 02 PM '82

SOMERSET COUNTY SANITARY DISTRICT	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COUNTY
VS.	*	STATE OF MARYLAND
RAYMOND CRANDALL JANICE CRANDALL	*	CHANCERY NO. 11,062
	*	

* * * * * * *

MOTION

Janice Crandall, by her attorney, Carolyn Palley and the Legal Aid Bureau, Inc., moves this Honorable Court to release Surplus Fund monies in the amount of Four Thousand Seven Hundred Ninety Eight Dollars and Four Cents ($4798.04) to her and as grounds states as follows:

1. That on April 6, 1982, pursuant to an Order of this Court, the land described in these preceedings, land conveyed unto the said Raymond A. Crandall and Janice Crandall, his wife, by Lester Hicks and Effie B. Hicks, his wife, by deed dated May 25, 1977 and recorded among the land records of Somseset County in Liber I.T.P. No. 300, folio 427, was sold to Jackson Lee Cook and Robert J. Wilson at and for the sum of Twelve Thousand Dollars ($12,000.00).

2. That on April 7, 1982, this Court entered an Order Nisi in the aforementioned sale.

3. That on May 19, 1982, said sale was finally ratified and confirmed.

4. That on May 28, 1982, the First and Final Auditors Report was filed with this Court, which Report stated that the Surplus Fund to the property owners plus interest per terms of the sale was equal to Nine Thousand Five Hundred Ninety Six Dollars and Eight Cents ($9,596.08).

5. That no exceptions were filed to said report and more than fifteen (15) days have elapsed.

6. That Janice Crandall and Raymond A. Crandall held the aforementioned property, prior to the sale subject of these proceedings, as tenants in the entirety.

WHEREFORE, Petitioner prays that this Court authorize the release and distribution of one-half of the proceeds of the sale surplus fund, in the amount of $4,498.04, to Jancie Crandall.

Carolyn Palley

Carolyn Palley
LEGAL AID BUREAU, INC.
111 High Street
Salisbury, Maryland 21801
Attorney for the Petitioner
(301) 546-5511

MEMORANDUM OF POINTS AND AUTHORITIES

Maryland Rules of Procedure, Rule BR6

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 23 day of June, 1982, I mailed a copy of the foregoing Motion to Tony Bruce, Esquire, Somerset Avenue, Princess Anne, Maryland 21853, Attorney for the Somerset County Sanitation District, first-class mail, postage prepaid.

Carolyn Palley
Carolyn Palley

SOMERSET COUNTY SANITARY DISTRICT INC.	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COUNTY
VS. RAYMOND CRANDALL JANCIE CRANDALL	*	STATE OF MARYLAND
	*	CHANCERY NO. 11,062
	*	

* * * * * * *

ORDER

ORDERED by the Circuit Court for Somerset County, sitting in Chancery, this 24th day of JUNE, 1982, that Four Thousand Seven Hundred Ninety Eight Dollars and Four Cents of the Surplus Fund be and is hereby released and distributed to Janice Crandall.

Lloyd L. Simpkins
JUDGE

LIBER 048 PAGE 127

MAR - 3 1983

exd

LIBER 048 PAGE 128

In the Matter of the Foreclosure of a Mortgage from William Connell	:	NO. 11267 CHANCERY
	:	IN THE CIRCUIT COURT FOR
Ex Parte	:	SOMERSET COUNTY, MARYLAND
	:	

: : : : : :

ORDER TO DOCKET

MR. CLERK:

Please docket suit as above, file the attached mortgage for foreclosure, file the Affidavit of Debt.

Thomas S. Simpkins
51 N. Somerset Ave.
Princess Anne, Md. 21853
651-1400

MAR 26-82 B 022543D*****10.00
MAR 26-82 B 022542D*****60.00

FOR MORTAGE SEE LIBER ITP NO. 324, FOLIO 314

FOR ASSIGNMENT SEE LIBER ITP NO. 331, FOLIO 790

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. SOMERSET AVE.
P.O. BOX 207
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

In the Matter of the Foreclosure of a Mortgage from William Connell : No. 11267 CHANCERY

: IN THE CIRCUIT COURT FOR

Ex Parte : SOMERSET COUNTY, MARYLAND

: : : : :

AFFIDAVIT OF DEBT

STATE OF MARYLAND, COUNTY OF SOMERSET, SS:

I hereby certify that on this 26th day of March 1982, before me, the subscriber, a notary public in and for the state and county aforesaid, personally appeared Amelia P. Fitzgerald, one of the owners of the mortgage from William Connell dated October 23rd, 1980 and recorded among the Land Records of Somerset County, Maryland, in Liber 324, folio 314, who first being duly sworn according to law, deposes and says that there is justly due and owing on said mortgage the sum of Thirty-Two Thousand Four Hundred Twenty-eight Dollars and Eighty-eight Cents [$32,428.88] principal with interest thereon at the rate of twelve percentum per annum in the amount of Twelve Hundred Twenty-Five Dollars and Ninety Cents [$1,225.90] to March 26th, 1982, and at $10.66 per diem thereafter.

As Witness my hand and Notarial Seal.

Jean Taylor
Notary Public

My commission expires: July 1, 1982

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. SOMERSET AVE.
P.O. BOX 207
PRINCESS ANNE, MD. 21853

TELEPHONE 651-1400

LIBER 048 PAGE 130

WORKSHEET

Principal due on Mortgage as of December 1, 1981		$ 32,428.88
Interest December 2, 198 to March 26th, 1982		1,225.90
Total Principal and Interest as of March 26, 1982		$ 33,654.78
Per Diem thereafter	$ 10.66	

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. SOMERSET AVE.
P.O. BOX 207
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

Book 11, Page 134

Maryland

No. 11,267 Chancery Case

WESTERN SURETY COMPANY

One of America's Oldest Bonding Companies

CHICAGO • SIOUX FALLS • DALLAS
PALO ALTO • BALA-CYNWYD, PA.

TRUSTEES, MORTGAGEES, ATTORNEYS OR FORECLOSURE BOND

KNOW ALL MEN BY THESE PRESENTS: BOND No. 500 99619

That we THOMAS S. SIMPKINS, as Principal, and the WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, as Surety authorized to do business in the State of Maryland, are held and firmly bound in the sum of

THIRTY FIVE THOUSAND DOLLARS AND NO/100 ($35,000) Dollars, to be paid to the said State of Maryland or its certain Attorney, to which payment well and truly to be made, we bind ourselves and our legal representatives jointly and severally, by these presents.

Sealed with our seals and dated this 29th day of MARCH, 1982.

WHEREAS, the above bounden THOMAS S. SIMPKINS

by virtue of the power contained in a mortgage from WILLIAM CONNELL

to WILLIAM J. FITZGERALD & AMELIA FITZGERALD

bearing date the 30th day of October, 1980 and recorded

among the mortgage records of SOMERSET COUNTY, MARYLAND

in Liber _____ No. 324 Folio 314 and _____

is about to sell the land and premises described in said mortgage, default having been made in the payment of the money as specified, and in the conditions and covenants therein contained.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bounden

Thomas S. Simpkins

do and shall well and truly and faithfully perform the trust reposed in him under the mortgage aforesaid, and shall abide by and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of said mortgaged property, or the proceeds thereof, then the above obligation to be void, otherwise to be and remain in full force and virtue in law.

Signed, Sealed and delivered in the presence of

As to Principal

Jean Taylor

Thomas S. Simpkins

Principal

As to Surety

Mary Lou King

Prin

WESTERN SURETY COMPANY
Attorney In Fact
By Donald L. Henderson

Countersigned by _____ Maryland Resident Agent

THE WITHIN BOND APPROVED.

1268-10-68

PER: J. Theodore Phelps, CLERK.

LIBER 043 PAGE 131

POWER OF ATTORNEY

(Irrevocable)

BOND No. 50099619

Know All Men by These Presents:

043 133

That this Power of Attorney is not valid or in effect unless attached to the bond which it authorizes executed but may be detached by the approving officer if desired.

That Western Surety Company, a corporation, does hereby make, constitute and appoint DONALD L. HENDERSON OR VICKIE L. WAGNER OR MARY LOU KING

in the City of PRINCESS ANNE, State of MARYLAND, with limited authority, its true and lawful Attorney(s) in fact with full power and authority hereby conferred, to sign, execute, acknowledge and deliver for and on its behalf as Surety, one of the following bonds.

An ORIGINAL bond required by Statute, Decree of Court or Ordinance for:	MAXIMUM PENALTY
(A) ADMINISTRATOR CONSERVATOR CURATOR EXECUTOR PERSONAL REPRESENTATIVE GUARDIAN TRUSTEE — (Testamentary Only) SALE OF REAL OR PERSONAL PROPERTY —When this company has qualifying bond or when it is a separate bond for accounting of proceeds of sale only COMMISSIONER TO SELL REAL ESTATE REFEREE IN PARTITION TRUSTEE OR RECEIVER — In Bankruptcy (Excluding Chapter 11)	$1,000,000
(B) NOTARY PUBLIC PUBLIC OFFICIAL AND DEPUTIES RECEIVER — (In State Court Only)	$ 50,000
(C) PLAINTIFF'S COURT BOND — Banks, Savings & Loan, and Trust Companies — All Others, except bonds prohibited by "NOTE" below	$ 100,000 $ 20,000
(D) COST ON APPEAL) EXCLUDING OPEN PENALTY, REMOVAL OF CAUSE) STAY, SUPERSEDEAS OR GUARANTEE OF A JUDGMENT	$ 2,000
(E) LICENSE AND PERMIT Except bonds where the state is the obligee SPECIAL FUEL USERS	$ 25,000 $ 2,000
(F) ANY BOND OR INDEMNITY provided there is attached to this Power of Attorney, written authority in the form of an endorsement, letter or telegram, signed by the Chairman of the Board, President, Vice-President, Assistant Vice President, Secretary, Treasurer or Assistant Secretary of Western Surety Company specifically authorizing its execution.	

NOTE: SUPERSEDEAS, OR OPEN PENALTY OR STAY BONDS ON APPEAL OR GUARANTEE OF JUDGMENT, OR BAIL BONDS OR CONSTRUCTION BID OR CONTRACT BONDS, OR BONDS FOR DEFENDANTS ARE NOT AUTHORIZED BY THIS POWER OF ATTORNEY, except as provided in Section (F).

WESTERN SURETY COMPANY further certifies that the following is a true and exact copy of Section 7 of the By-Laws of the Western Surety Company, duly adopted andd now in force, to-wit: "Section 7. All bonds, policies, undertakings or other obligations of the corporation shall be executed in the corporate name of the Company by the Chairman of the Board, President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The Chairman of the Board, President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or Agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings or other obligations of the corporation."

Dated this 1st day of May, 1981.

ATTEST C. Schmidt
Assistant Secretary

WESTERN SURETY COMPANY

By Joe P. Kirby
President

STATE OF SOUTH DAKOTA }
County of Minnehaha } ss

On this 1st day of May, 1981, before me, a Notary Public, personally appeared JOE P. KIRBY, who being by me duly sworn, acknowledged that he signed the above Power of Attorney as President of the said WESTERN SURETY COMPANY and acknowledged said instrument to be the voluntary act and deed of said corporation.

My commission expires June 12, 1988

FILED

J. Krone
Notary Public, South Dakota

I, the undersigned officer of the Western Surety Company, a stock corporation of the State of South Dakota, do hereby certify that the attached Power of Attorney is in full force and effect and is irrevocable; and further, that Section 7 of the By-Laws of the company as set forth in the Power of Attorney, is now in force.

In testimony whereof, I have hereunto set my hand and the seal of the Western Surety Company this *_____ day of _____, 19____

WESTERN SURETY COMPANY

By Joe P. Kirby
President

RECORDED IN LIBER ___ FOLIO ___ THE ___ CIR. CT. BY ___ DEPUTY

*IMPORTANT: This date must be filled in before it is attached to the bond and it must be the same date as the bond.

99—5-81

Bond Book 11, Page 135

In the Matter of the Foreclosure of a Mortgage from William Connell	:	No. 11,267 CHANCERY
	:	IN THE CIRCUIT COURT FOR
	:	SOMERSET COUNTY, MARYLAND

: : : : : : :

AFFIDAVIT

STATE OF MARYLAND, COUNTY OF SOMERSET, SS:

I do hereby certify that on this 22nd day of April 1982, before me, the subscriber, a notary public in and for the state and county aforesaid, personally appeared Thomas S. Simpkins and he did depose and say:

That on April 12th, 1982, he did mail an exact copy of the advertisement of sale in the above matter to William Connell, by certified mail, as required by Rule W74(b); and that he did also mail a copy of the advertisement of sale to P.D.I.,Inc. and to Stephen Cox, Esq., attorney for P.D.I., Inc., the holder of a second lien.

As Witness my hand and Notarial Seal.

Jean Taylor
Notary Public

JEAN TAYLOR NOTARY PUBLIC SOMERSET COUNTY, MD.

THOMAS S. SIMPKINS
ATTORNEY AT LAW
31 N. SOMERSET AVE.
P.O. BOX 207
PRINCESS ANNE, MD. 21853

TELEPHONE 651-1400

LIBER 048 PAGE 134

In the Matter of the Foreclosure of a Mortgage from William Connell

: NO. 11,267 CHANCERY

: IN THE CIRCUIT COURT FOR

: SOMERSET COUNTY, MARYLAND

: : : : : :

REPORT OF SALE

TO THE HONORABLE, THE JUDGE OF SAID COURT:

Thomas S. Simpkins, Attorney in the above captioned cause, duly qualified after filing his approved bond, hereby reports: That he did on April 27, 1982, at 2:00 p.m. after having given due notice as required by law, sell the land at public auction described in these proceedings, unto William F. Fitzgerald and Amelia Fitzgerald, for the sum of Thirty-Four Thousand One Hundred Dollars ($34,100.00), that being the highest bid therefor and that a deposit of Four Thousand Dollars has been paid as per terms of sale, the unpaid portion to be paid upon ratification.

Respectfully submitted,

Thomas S. Simpkins

STATE OF MARYLAND, COUNTY OF SOMERSET, SS:

I hereby certify that on this 27th day of April 1982, before me the subscriber, a notary public in and for the state and county aforesaid, personally appeared Thomas S.Simpkins, personally known to me and after being duly sworn according to law, deposes and says: That he was duly appointed and qualified to sell the land in the above cause proceedings and that he did sell the same as hereinbefore set forth, that the sale was fairly conducted and that the Report of Sale is true and correct to the best of his information, knowledge and belief.

As Witness my hand and Notarial Seal.

JEAN TAYLOR NOTARY PUBLIC SOMERSET COUNTY

Jean Taylor
Notary Public

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. SOMERSET AVE.
P.O. BOX 207
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

In the Matter of the Foreclosure of a Mortgage from William Connell	:	NO. 11,267 CHANCERY
	:	IN THE CIRCUIT COURT FOR
	:	SOMERSET COUNTY, MARYLAND
Ex Parte	:	

: : : : :

AFFIDAVIT

STATE OF MARYLAND, COUNTY OF SOMERSET, SS:

I hereby certify that on this 27th day of April 1982, before me, the subscriber, a notary public in and for the state and county aforesaid, personally appeared William F. Fitzgerald and Amelia Fitzgerald, and after being duly sworn by me according to law, deposes and says:

1. That they were the purchasers at the public auction of the property in these proceedings held on April 27th, 1982 at 2:00 p.m. for $34,100.00.
2. That they did not directly or indirectly discourage anyone from bidding on the property.

As Witness my hand and Notarial Seal.

William F. Fitzgerald
William F. Fitzgerald, Affiant

Amelia Fitzgerald
Amelia Fitzgerald, Affiant

Jean Taylor
Notary Public

JEAN TAYLOR NOTARY PUBLIC SOMERSET COUNTY MD.

THOMAS S. SIMPKINS
ATTORNEY AT LAW
91 N. SOMERSET AVE.
P.O. BOX 207
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

THOMAS S. SIMPKINS
Attorney at Law
Princess Anne, Maryland

LIBER 048 PAGE 136

In the Foreclosure of
a Mortgage from William
Connell

CHANCERY NO. 11,267
In the Circuit Court for
Somerset County, Maryland

ORDER NISI

ORDERED, by the Circuit Court for Somerset County, Maryland, this 30th day of April 1982, that the sale of the property mentioned in these proceedings, made and reported by Thomas S. Simpkins, Attorney, BE RATIFIED and CONFIRMED unless cause to the contrary thereof be shown on or before the 31st day of May 1982; provided a copy of this ORDER be inserted in some newspaper published in Somerset County, Maryland, once in each of three consecutive weeks before the 24th day of May 1982.

The report states the amount of sale to be a total of THIRTY-FOUR THOUSAND ONE HUNDRED DOLLARS ($34,100.00).

I. Theodore Phoebus
I. Theodore Phoebus, Clerk

THOMAS S. SIMPKINS
ATTORNEY AT LAW
81 N. SOMERSET AVE.
P.O. BOX 207
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

No. 11267

LIBER 048 FOLIO 137

PRINCESS ANNE, MD., Apl 24 1982

This is to certify that the annexed Notice

has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Notice

Dates Inserted: April 8, 15, 22 1982

Bryan Byrd

Business Manager MARYLANDER and HERALD

Thomas S. Simpkins
Attorney At Law
51 N Somerset Avenue
Princess Anne, Md. 21853

MORTGAGE FORECLOSURE SALE
OF
VALUABLE WATERFRONT LOT
AND RESIDENCE
IN DAMES QUARTER ELECTION DISTRICT
SOMERSET COUNTY, MARYLAND

Under and by virtue of the power of sale contained in a mortgage from William Conell to William F. Fitzgerald and Amelia P. Fitzgerald, his wife, dated October 23, 1980, and recorded among the land records of Somerset County, Maryland in Liber 324; folio 314 default having occurred therein, I hereby give notice that I will on

TUESDAY, APRIL 27, 1982
AT 2 P.M.
AT THE COURTHOUSE DOOR
PRINCESS ANNE, MARYLAND

offer the following land and improvements for sale at public auction to the highest bidder therefor:

Beginning for the same at an iron pipe marking the Southeastern corner of the parcel hereby conveyed, which point is the Southwestern corner of other lands of William F Fitzgerald and Amelia P. Fitzgerald: thence (1) N 23°50' W., 120.86 ft. to an iron pipe; thence (2) continuing said course, 60.79 ft. to an iron pipe thence, (3) continuing said course, to the mean high water line of Tangier Sound: thence, (4) reversing all of the aforementioned calls to the point of beginning thence, (5) by and with the northern edge of hideaway lane, S. 66°10' W., 100.00 feet to a concrete marker, thence, (6) N. 23°50' W., 143.12 ft. to an iron pipe thence, (7) continuing said course to the mean high water line of Tangier Sound; thence, (8) by and with the meanderings of said mean high water line, In a generally Northeastern direction to the point of intersection with the third call above, the same being all of lot 6 of the Tangier sands subdivision as depicted on a plat by Oliver Morrell, dated October 16, 1980, and recorded among the land records of Somerset County, Maryland, in Liber 324, folio 313, being the same and all that land conveyed unto William Connell by William F. Fitzgerald and Amelia P Fitzgerald, his wife, by deed dated October 23, 1980, and recorded in Liber 324, at folio 311, et seq.; subject, however, to the conditions, covenants, restrictions and charges set forth in deed recorded among the aforesiad land records in Liber B. L. B. No. 180, folio 523.

IMPROVEMENTS: The property is improved by a modern three bedroom 1200 sq. ft., well-insulated rancher with 2 baths. All modern conveniences; gas hot-air heat. Located on Tangier Sound with private sand beach

TERMS OF SALE $4,000.00 on day of sale by cash or certified check, balance upon ratification of sale, unpaid portion to bear interest at 12% to date of settlement. All title papers, revenue stamps, recording costs and other closing costs at the expense of the p rchaser

Thomas S Simpkins, Attorney
51 N Somerset Avenue
Princess Anne, Maryland 21853
651 1400

3tc4/8

LIBER 048 PAGE 138

In the Matter of the Foreclosure of a Mortgage from William Connell	:	NO. 11,267 CHANCERY
	:	IN THE CIRCUIT COURT FOR
	:	SOMERSET COUNTY, MARYLAND

: : : : : : : :

ORDER OF RATIFICATION

UPON the Report of Sale, Affidavit and ORDER NISI which was duly published as required by Rule, and no one having shown cause to the contrary or objected thereto, IT IS, thereupon this 18th day of June 1982, ORDERED AND DECREED by the Circuit Court for Somerset County, Maryland, in #11,267 Chancery that the sale of the property mentioned in these proceedings BE and IT hereby IS RATIFIED AND CONFIRMED.

L. D. Horsey
JUDGE

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. SOMERSET AVE.
P.O. BOX 207
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

THE DAILY AND SUNDAY TIMES

DELMARVA'S LARGEST DAILY NEWSPAPER

P. O. Box 1937

Salisbury, Maryland 21801

Sold To Thomas S. Simpkins
51 N. Main St.
Princess Anne, Md. 21853

No. 3839

April 11, 18 Foreclosure Sale $94.90

~~Oliver Morrell~~

Connell - Fitzgerald

CERTIFICATE OF PUBLICATION

Salisbury, Md. . . . . April 18, 1982, ...

We hereby certify that the annexed. . . . . .

Foreclosure Sale - Waterfront Property Oliver Morrell . .was published in

THE DAILY TIMES on . . April 11, 18. . . . . .

. . . . . .

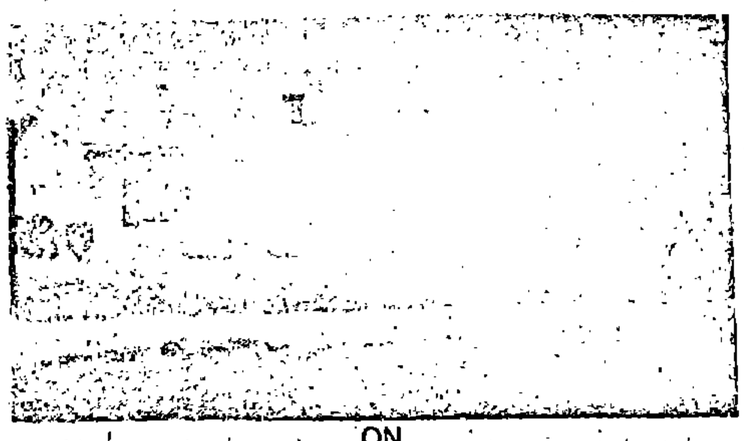
Thomson Newspapers, Inc.
Publishers of The Daily Times

RECORDED IN LIBER NO. FOLIO
L. NICODEME FROEBUS, CLK. CT.
BY DEPUTY

FILED JUL 20 10 23 AM '82

THOMAS S. SIMPKINS
Attorney at Law
51 N. Somerset Avenue
Princess Anne, Md. 21853

MORTGAGE FORECLOSURE SALE
OF
VALUABLE WATERFRONT LOT
AND RESIDENCE



ON

APRIL 27, 1982

AT 2:00 P.M.

At the Courthouse Door,
Princess Anne, Maryland

I will offer the following land and improvements for sale at public auction to the highest bidder therefor: All that lot or parcel of land situate in Dames Quarter Election District, Somerset County, Maryland, being all of Lot 6 on the Tangier Sands Subdivision as depicted on a plat by Oliver Morrell, dated October 16, 1980, and recorded among the Land Records of Somerset County, Maryland, in Liber 324, folio 313.

IMPROVED by a well-insulated, modern three-bedroom 1200 sq. ft. rancher with 2 baths. All modern conveniences, gas hot-air heat. Located on Tangier Sound with private sand beach.

Terms of Sale: $4,000.00 on day of sale, by cash or certified check; balance upon ratification of sale, unpaid portion to bear interest at 12% to date of settlement. All title papers, revenue stamps, recording costs and other closing costs at the expense of the purchaser.

Thomas S. Simpkins, Attorney
51 N. Somerset Avenue
Princess Anne, Maryland 21853
301-651-1400

4/11,18

LIBER 048 PAGE 139

MARYLANDER AND HERALD

INCORPORATED

Established In 1826

39 Main Street
Post Office Box 158
Princess Anne, Maryland 21853
Phone: 301-651-2000

TERMS—DUE ON RECEIPT—PAST DUE 30 DAYS — SERVICE CHARGE OVER 60 DAYS

Thomas Simpkins, Attorney
Princess Anne, Md. 21853

LIBER 048 PAGE 140

May 6, 13, 20

Order Nisi
Chancery No. 11267
William Connell
Mtg. Foreclosure Wm. Fitzgerald

$48.00

Thomas S. Simpkins
Attorney at Law
Princess Anne,
Maryland

IN THE
FORECLOSURE OF A
MORTGAGE FROM
WILLIAM CONNELL

CHANCERY
NO. 11,267
In the
Circuit Court for
Somerset County,
Maryland

ORDER NISI

ORDERED, by the Circuit Court for Somerset County, Maryland, this 30th day of April 1982, that the sale of the property mentioned in these proceedings, made and reported by Thomas S. Simpkins, Attorney, BE RATIFIED and CONFIRMED unless cause to the contrary thereof be shown on or before the 31st day of May 1982; provided a copy of this order be inserted in some newspaper published in Somerset County, Maryland, once in each of three consecutive weeks before the 24th day of May 1982.

The report states the amount of sale to be a total of THIRTY-FOUR THOUSAND ONE HUNDRED DOLLARS ($34,100.00).

I. THEODORE
PHOEBUS
Clerk

TRUE COPY TEST:
I. Theodore Phoebus,
Clerk

3 tc 5/6

PRINCESS ANNE, MD., May 24 **1982**

This is to certify that the annexed Notice

has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Notice

Dates Inserted: May 6, 13, 20 1982

J. Bryan Byrd

Business Manager MARYLANDER and HERALD

In the Matter of the Foreclosure of a Mortgage from William Connell

Ex Parte

NO. 11,267 CHANCERY

IN THE CIRCUIT COURT

FOR SOMERSET COUNTY

STATE OF MARYLAND

FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he made an examination of the proceedings in the above entitled cause and from them and the list of expenses furnished him therein, states the following Account:

Amount of Sale			$ 34,100.00
Fees, Costs, Expenses, etc.:			
I. Theodore Phoebus, court costs		$ 122.00	
Marylander and Herald		168.00	
Advertising	120.00		
Order Nisi	48.00		
Daily Times, Advertising		94.90	
Henderson Insurance, Bond		105.00	
Wallace Dashiell, Auctioneer		100.00	
Court Auditor		50.00	
Notary Fees		6.00	
1981-82 State and County Taxes		339.18	
Trustee's Commission (10% of 1st $3,000.00 = $300.00; 5% of $31,100.00 = $1,555.00)		1,855.00	
Certified Mail		3.10	
Attorney's fee per mortgage		100.00	
Total Fees, Costs, Expenses, etc.		$2,943.18	
Balance to be Distributed			$ 31,156.82
Mortgage debt as of March 26, 1982 - Principal		$32,428.88	
Interest per diem 10.66 from 3/26/82 to 8/4/82 final date for exception to audit report - Interest		1,225.90	
		1,396.46	
Total Mortgage Debt		35,051.24	
Deficit			$ 3,894.42

All exceptions to said report must be filed within fifteen (15) days of the date of filing; if no exceptions are filed, the Account may be ratified.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing on the date of the filing of the Audit notice of this report to the following parties by regular U.S. mail:

William Connell
Dames Quarter, Maryland 21820

Thomas S. Simpkins, Esquire
51 N. Somerset Avenue
Princess Anne, Maryland 21853

Logan C. Widdowson, Auditor

Date of filing: July 20, 1982

LOGAN C. WIDDOWSON
ATTORNEY AT LAW
NORTH SOMERSET AVENUE
PRINCESS ANNE, MD. 21853
651-3800

LCW/gjb
7/20/82
81 # 117

LIBER 048 PAGE 142

No. 11267 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 20th day of July, 1982 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the 4th day of August, 1982.

L. Theodore Phoebus
CLERK

No exceptions having been filed, and no cause to the contrary having been shown, IT IS ORDERED by the Circuit Court for Somerset County, in Equity, this 9th day of August, 1982 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

L. Theodore Phoebus
CLERK

MAR - 3 1983

APR 20-82 B 523084D*****5.00
APR 20-82 B 523083D*****10.00
APR 20-82 B 523082D*****60.00

RUSSELL C. DASHIELL, JR., Attorney and Assignee for the purpose of foreclosure and collection of a Mortgage from Marshall L. Parks and Catherine E. Parks, his wife to The Sussex Trust Company	*	NO. 11283 CHANCERY
	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COUNTY,
	*	STATE OF MARYLAND

* * * * * * * * * * * * * * * * * *

ORDER TO FILE MORTGAGE FOR FORECLOSURE

Mr. Clerk:

Please docket a suit as above and file for foreclosure a Mortgage from Marshall L. Parks and Catherine E. Parks, his wife, to The Sussex Trust Company, dated September 27, 1977, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 303, Folio 129.

Russell C. Dashiell, Jr.
Attorney and Assignee

Address:

The Sussex Trust Company
P. O. Box 350
Delmar, Delaware 19940

Marshall L. Parks
P. O. Box 95
Westover, MD 21871

Catherine E. Parks
P. O. Box 95
Westover, MD 21871

Russell C. Dashiell, Jr.
Long, Laws, Hughes & Bahen
124 East Main Street
Salisbury, MD 21801

FOR MORTGAGE SEE LIBER ITP NO. 303, FOLIO 129

FOR ASSIGNMENT SEE LIBER ITP NO. 332, FOLIO 246.

LAW OFFICES
LONG, LAWS,
HUGHES & BAHEN
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

LIBER 048 PAGE 144

RUSSELL C. DASHIELL, JR., Attorney and Assignee for the purpose of foreclosure and collection of a Mortgage from Marshall L. Parks and Catherine E. Parks, his wife, to The Sussex Trust Company	* * * *	No. 11283 Chancery In the Circuit Court For Somerset County State of Maryland

****

STATEMENT OF MORTGAGE DEBT AND MILITARY AFFIDAVIT

STATE OF DELAWARE, COUNTY OF SUSSEX, TO WIT:

I HEREBY CERTIFY, that on this 2nd day of April, 1982, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Clifford W. Parsons, Assistant Vice President of The Sussex Trust Company, and made oath in due form of law that the following account represents the amount due and owing on the Mortgage filed for foreclosure in the above entitled cause:

Principal amount due	$1,814.85
Interest from 10-27-81 thru 4-2-82	$ 76.19
Late Charges	$ 17.70
TOTAL BALANCE DUE	$ 1,908.74

(The above statement is good until APRIL 2, 1982 Thereafter interest is to be added at $.49152 per day.)

AND, at the same time, the said Clifford W. Parsons, as aforesaid, did further make oath in due form of law that to the best of his knowledge, information and belief:

1. The said Marshall L. Parks and Catherine E. Parks are not in the military service of the United States; and

2. The said Marshall L. Parks and Catherine E. Parks are not in any military service of any nation allied with the United States; and

3. The said Marshall L. Parks and Catherine E. Parks have not been ordered to report for induction under the Selective Service Act of 1940, as amended; and

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LONG, LAWS,
HUGHES & BAHEN
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

4. The said Marshall L. Parks and Catherine E. Parks are not members of the Enlisted Reserve Corps who have been ordered to report for military service.

IN WITNESS WHEREOF, I hereunto set my hand and affix my seal the day and year first above written.

THE SUSSEX TRUST COMPANY

BY _____ (SEAL)
Clifford W. Parsons,
Assistant Vice President

M. Charlene Dubinski
NOTARY PUBLIC

My commission expires: 6/8/83

LAW OFFICES
LONG, LAWS,
HUGHES & BAHEN
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

LIBER 048 PAGE 145

LIBER 048 PAGE 146

RUSSELL C. DASHIELL, JR., Attorney and Assignee for the purpose of foreclosure and collection of a Mortgage from Marshall L. Parks and Catherine E. Parks, his wife to The Sussex Trust Company	*	NO. 11283 CHANCERY
	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COUNTY,
	*	STATE OF MARYLAND

* * * * * * * * * * * * * * * * *

AFFIDAVIT OF COMPLIANCE

STATE OF MARYLAND, WICOMICO COUNTY, to-wit:

I HEREBY CERTIFY, that on this 23rd day of April, A.D., 1982, before me, the subscriber, a Notary Public of the State of Maryland, in and for Wicomico County aforesaid, personally appeared Russell C. Dashiell, Jr. Attorney and Assignee in the above captioned, and made oath in due form of law, and pursuant to Rule W74a2(c) of the Maryland Rules of Procedure, that he mailed by Registered Mail, Return Receipt Requested, to the Mortgagors, Marshall L. Parks and Catherine E. Parks, his wife, at their respective last known addresses: P. O. Box 95, Westover, Maryland 21871 respectively, a notice of the time, place and terms of sale; that said notice was mailed on the 23rd day of April, 1982, which was not earlier than twenty (20) days and not later than five (5) days before the date of sale, the Registered Receipts for said mailing being attached hereto.

AS WITNESS my hand and Notarial Seal, the day and year first above written.

Eleanor M. Fiske
Notary Public

Russell C. Dashiell, Jr.
Attorney and Assignee

LAW OFFICES
LONG, LAWS,
HUGHES & BAHEN
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

REGISTERED NO. 8953

POSTMARK OF

POST OFFICE COMPLETION

Reg. Fee $ 3.25	Special Delivery $
Handling Charge $	Return Receipt $ .60
Postage $ .20	Restricted Delivery $

RECEIVED BY W Morgan

AIRMAIL ☐

SALISBURY, MD MAIL STATION APR 23 1982

MAILING OFFICE

All Entries MUST be in Ball Point Pen or Typed

CUSTOMER COMPLETION (Please Print)

FULL VALUE $ N.V.

FROM: Long, Laws, Hughes & Bahen (R.C.D)
124 E. Main St. Box 259
Salisbury, MD. ZIP CODE 21801

TO: Mrs. Catherine E. Parks
P.O. Box 95
Westover MD ZIP CODE 21871

PS FORM 3806 Sept. 1979 RECEIPT FOR REGISTERED MAIL (Customer Copy)

REGISTERED NO. 8954

POSTMARK OF

POST OFFICE COMPLETION

Reg. Fee $ 3.25	Special Delivery $
Handling Charge $	Return Receipt $ .60
Postage $ .20	Restricted Delivery $

RECEIVED BY W Morgan

AIRMAIL ☐

SALISBURY, MD MAIL STATION APR 23 1982

MAILING OFFICE

All Entries MUST be in Ball Point Pen or Typed

CUSTOMER COMPLETION (Please Print)

FULL VALUE $ N.V.

FROM: ~~Ros~~ Long, Laws, Hughes & Bahen (R.C.D)
124 E. Main St. P.O. Box 259
Salisbury, Md. ZIP CODE 21801

TO: Mr. Marshall L. Parks
P.O. Box 95
Westover, MD. ZIP CODE 21871

PS FORM 3806 Sept. 1979 RECEIPT FOR REGISTERED MAIL (Customer Copy)

RUSSELL C. DASHIELL JR., Attorney and Assignee for the purpose of foreclosure and collection of a Mortgage from Marshall L. Parks and Catherine E. Parks, his wife, to The Sussex Trust Company	*	NO. 11,283 CHANCERY
	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COUNTY,
	*	STATE OF MARYLAND

* * * * * * * * * * * * * * * * * *

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Sale of Russell C. Dashiell Jr., Attorney and Assignee, respectfully represents:

That after having given bond with sufficient security for the faithful performance of the trust reposed in him and after having complied with all the other prerequisites as required by law and after having given notice of the time, place, manner and terms of sale by advertisements duly inserted in the Marylander and Herald, a bi-weekly newspaper published in Somerset County, for three (3) successive weeks before the day of sale all as more particularly set forth in Certificate of Publication attached hereto, they did, pursuant to said advertisement attend, at the front door of the Courthouse, on the 7th day of May, 1982, at the hour of 2 o'clock P.M., and he did then and there proceed to sell said property in the manner following, that is to say: Your Attorney and Assignee offered at public sale to the highest bidder or bidders the property mentioned in the aforesaid advertisement, and being more particularly described as follows:

ALL that lot or parcel of land situate in Fairmount Election District, Somerset County, Maryland, described in 1950 as "bounded on the north by the land formerly owned by J. Thomas Leach, on the west by the Whitehead property, on the south by the land formerly owned by Levin Selby, on the

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LONG, LAWS,
HUGHES & BAHEN
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

east by a county road leading to Lower Hill, containing three-fourths of an acre of land, more or less", and now more accurately described as all that lot or parcel of land, situate as aforesaid, on the south side of but not adjacent to the county road leading from Fairmount to Rumbley, bounded on the east by the county road leading from the first mentioned road to Lower Hill, bounded on the south by the lands owned or formerly owned by William Washington, bounded on the west by the lands owned or formerly owned by Thomas F. Ford, and bounded on the north by the post office property owned or formerly owned by Jennie Revell, containing three-quarters of an acre, more or less, and being in all respects the same land conveyed unto Marshall L. Parks and Catherine E. Parks, his wife, by Deed from Chester Dombkowski dated September 27, 1977, and recorded among the Land Records of Somerset County, State of Maryland, in Liber I.T.P. No. 303, Folio 127.

AND YOUR Attorney and Assignee sold the above described property unto Jackson Lee Cook, at and for the sum of Three Thousand Dollars ($3,000.00), he being at that sum, the highest bidder therefor.

Respectfully submitted,

Russell C. Dashiell Jr.
Attorney and Assignee

STATE OF MARYLAND, COUNTY OF WICOMICO, to wit:

I HEREBY CERTIFY, that on this 13th day of May, 1982, before me, the undersigned, a Notary Public of the State and County aforesaid, personally appeared Russell C. Dashiell Jr.,

LAW OFFICES
LONG, LAWS,
HUGHES & BAHEN
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

Attorney and Assignee, named in the aforegoing Report of Sale and made oath in due form of law that the matters and facts stated herein are true and correct to the best of his knowledge, information and belief, and the sale therein reported was fairly made.

AS WITNESS my hand and Notarial Seal.

Eleanor M. Gladden
Notary Public

My Commission Expires:
July 1, 1982

LAW OFFICES
LONG, LAWS,
HUGHES & BAHEN
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

LIBER 048 PAGE 151

PRINCESS ANNE, MD., May 8 1982

This is to certify that the annexed Notice has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Notice

Dates Inserted: April 22, 29 May 6

Business Manager MARYLANDER and HERALD

ASSIGNEE'S SALE
OF
VALUABLE DWELLING
HOUSE AND LOT

Under and by virtue of a power of sale contained in a Mortgage from Marshall L. Parks and Catherine E. Parks, his wife, to the Sussex Trust Company, dated September 27, 1977, and recorded among the Land Records of Somerset County, Maryland, in Liber I. T. P. No. 303, Folio 129, default having been made in the terms, covenants and conditions thereof, the undersigned as Attorney and Assignee for the purposes of foreclosure and collection, will offer for sale:

AT THE FRONT DOOR OF
THE COURT HOUSE
PRINCESS ANNE, SOMERSET COUNTY
MARYLAND
ON FRIDAY, MAY 7, 1982
BEGINNING AT 2:00 O'CLOCK P.M.

all the following described property:

All that lot or parcel of land situate in Fairmount Election District, Somerset County, Maryland, described in 1950 as "bounded on the north by the land formerly owned by J. Thomas Leach, on the west by the Whitehead property, on the south by the land formerly owned by Levin Selby, on the east by a county road leading to Lower Hill, containing three-fourths of an acre of land, more or less', and now more accurately described as all that lot or parcel of land, situate as aforesaid, on the south side of but not adjacent to the county road leading from Fairmount to Rumbley, bounded on the east by the county road leading from the first mentioned road to Lower Hill, bounded on the south by the lands owned or formerly owned by William Washington, bounded on the west by the lands owned or formerly owned by Thomas F. Ford, and bounded on the north by the post office property owned or formerly owned by Jennie Revell, containing three-quarters of an acre, more or less, and being in all respects the same land conveyed unto Marshall L. Parks and Catherine E. Parks, his wife, by Deed from Chester Dombkowski dated September 27, 1977, and recorded among the Land Records of Somerset County, State of Maryland, in Liber I. T. P. No. 303, Folio 127.

This property is improved by a two story dwelling, consisting of a large kitchen, dining room, living room, den and upstairs bedrooms and storm doors.

LOCATION OF PROPERTY: 1.2 miles from Upper Fairmount Post Office on Route 361 across from Millers' Store.

TERMS OF SALE: Deposit of $1,000.00 on date of sale and the balance to be paid upon final ratification of sale, the credit portion to bear interest from date of sale, until paid at the rate of eight percent (8%) per annum and to be secured to the satisfaction of the undersigned, or all cash, at the option of the purchaser. The preparation of all documents for transfer, state stamps, state transfer tax and recording costs are at the expense of the purchaser. State and County taxes will be pro-rated to the date of final ratification of said sale.

Russell C. Dashiell, Jr.
Attorney and Assignee
124 East Main Street
Salisbury, Md. 21801
Telephone: 749-2356

3 tc 4/22

LIBER 048 PAGE 152

RUSSELL C. DASHIELL JR., Attorney and Assignee for the purpose of foreclosure and collection of a Mortgage from Marshall L. Parks and Catherine E. Parks, his wife, to The Sussex Trust Company	* * * *	NO. 11283 CHANCERY IN THE CIRCUIT COURT FOR SOMERSET COUNTY, STATE OF MARYLAND

* * * * * * * * * * * * * * * * * *

ORDER NISI

ORDERED, by the Circuit Court for Somerset County, State of Maryland, this 19th day of May, 1982, that the sale of the property mentioned in these proceedings and made and reported by Russell C. Dashiell Jr., Attorney and Assignee, be ratified and confirmed unless cause to the contrary be shown on or before the 21st day of June, 1982, provided a copy of this Order be inserted in some newspaper published in this County, once in each of three (3) successive weeks before the 14th day of June, 1982.

The Report of Sale states the amount of the sale to be Three Thousand Dollars ($3,000.00).

J. Theodore Shockley
Clerk

LAW OFFICES
LONG, LAWS,
HUGHES & BAHEN
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

No. 3

Fidelity and Deposit Company

HOME OFFICE OF MARYLAND *BALTIMORE, MD. 21203*

No. 11283 Chancery Case

KNOW ALL MEN BY THESE PRESENTS:

That we, Russell C. Dashiell, Jr.

and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a body corporate, duly incorporated under the laws of the State of Maryland, as Surety, are held and firmly bound unto the State of Maryland, in the full and just sum of TWO THOUSAND---------- Dollars, to be paid to the said State or its certain Attorney, to which payment well and truly to be made, we bind ourselves, and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents.

Sealed with our seals and dated this 16th day of April

in the year of our Lord one thousand nine hundred and eighty two

WHEREAS, the above bounden Russell C. Dashiell, Jr.

by virtue of a decree of the Honorable the Judge of the Circuit Court of Somerset County, MD

has been appointed ~~Trustee~~ Assignee to sell the real estate

mentioned in the proceedings in the case of The Sussex Trust Company

vs:

Marshall L. Parks and
Catherine E. Parks

now pending in said Court:

NOW, THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That, if the above bounden Russell C. Dashiell, Jr.

do and shall well and faithfully perform the trust reposed in him by said decree, or that may be reposed in him by any future decree or order in the premises, then the above obligation to be void; otherwise to be and remain in full force and virtue in law.

Signed, sealed and delivered in the presence of:

Eleana M. Gootee

Russell C. Dashiell, Jr. (SEAL)

(SEAL)

WITNESS: FIDELITY AND DEPOSIT COMPANY OF MARYLAND

By Jeanette M. Rhea *As to Surety* By Clinton A. Killam, Jr *Attorney-in-Fact*

THE WITHIN BOND APPROVED.

PER: S. Theodore Sheehan, CLERK.

J3116(MD)—1M, 9,80 211589
Trustee's Bond

LIBER 048 PAGE 153

Bond Book 11 Page 137

Bond Book 11, Page 138

Power of Attorney

LIBER 048 PAGE 154

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

HOME OFFICE: BALTIMORE, MD.

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by C. M. PECOT, JR. , Vice-President, and C. W. ROBBINS , Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which reads as follows:

SEC. 2. The President, or any Executive Vice-President, or any of the Senior Vice-Presidents or Vice-Presidents specially authorized so to do by the Board of Directors or by the Executive Committee, shall have power, by and with the concurrence of the Secretary or any one of the Assistant Secretaries, to appoint Resident Vice-Presidents, Assistant Vice-Presidents and Attorneys-in-Fact as the business of the Company may require, or to authorize any person or persons to execute on behalf of the Company any bonds, undertakings, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgments, decrees, mortgages and instruments in the nature of mortgages, and also all other instruments and documents which the business of the Company may require, and to affix the seal of the Company thereto.

does hereby nominate, constitute and appoint Charles W. Blank, Clinton A. Killman, Jr., J. Donald Haynes, John W. Charlton, Pauline A. Beall, Maria L. Lenox and Brian E. Wilcox, all of Baltimore, Maryland, EACH

its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: any and all bonds and undertakings

And the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, Md., in their own proper persons.

This power of attorney revokes that issued on behalf of Charles W. Blank, etal, dated February 17, 1981.

The said Assistant Secretary does hereby certify that the aforegoing is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 2nd day of September, A.D. 19 81

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

ATTEST:

SEAL

C W Robbins
Assistant Secretary

By C M Pecot
Vice-President

STATE OF MARYLAND
CITY OF BALTIMORE } SS:

On this 2nd day of September, A.D. 19 81, before the subscriber, a Notary Public of the State of Maryland, in and for the City of Baltimore, duly commissioned and qualified, came the above-named Vice-President and Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself deposeth and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal, at the City of Baltimore, the day and year first above written.

CAROL J. FADER NOTARY PUBLIC BALTIMORE CITY, MD.

Carol J. Fader
Notary Public Commission Expires July 1, 1982

CERTIFICATE

I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the original Power of Attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2 of the By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

This Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 16th day of July, 1969.

RESOLVED: "That the facsimile or mechanically reproduced signature of any Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed."

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said Company, this

day of, 19

RECORDED
LIBER FOLIO
THEODORE LOCHER, CLK. CT.
BY DEPUTY

STATE

Assistant Secretary

L1428Ctf.—3M, 11-81 213234 -060

FOR YOUR PROTECTION LOOK FOR THE F&D WATERMARK

RUSSELL C. DASHIELL JR., Attorney and Assignee for the purpose of foreclosure and collection of a Mortgage from Marshall L. Parks and Catherine E. Parks, his wife, to The Sussex Trust Company	* * * *	NO. 11283 CHANCERY IN THE CIRCUIT COURT FOR SOMERSET COUNTY, STATE OF MARYLAND

* * * * * * * * * * * * * * * * *

PETITION & ORDER OF COURT

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of Russell C. Dashiell Jr., Attorney and Assignee for the purpose of foreclosure and collection of the Mortgage hereinbefore referred to, respectfully represent:

(1) That the Mortgage filed for foreclosure herein provides for the payment of a 1% fee of the original principal amount and the commission of the amount of sale resulting from the foreclosure of said mortgage.

(2) The compensation aforesaid is governed by regulations and as a result thereof your Attorney and Assignee has made an Agreement with the holder of the Note, Sussex Trust Company, which said agreement has been approved by the Sussex Trust Company, and provides that the said Attorney and Assignee shall be allowed a fee in lieu of commissions on the foreclosure of the aforesaid mortgage in the amount of Five Hundred Dollars ($500.00).

WHEREFORE, your Petitioners pray that the fee in lieu of commissions as set forth above be approved by proper Order of this Court.

Russell C. Dashiell Jr.
Attorney and Assignee

LAW OFFICES
LONG, LAWS,
HUGHES & BAHEN
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

STATE OF MARYLAND, Wicomico COUNTY, to wit:

I HEREBY CERTIFY, that on this 13th day of May, 1982, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Russell C. Dashiell Jr., Attorney and Assignee, and made oath in due form of law that the matters and facts stated herein are true and correct to the best of his knowledge and information.

AS WITNESS my hand and Notarial Seal.

My Commission Expires:
July 1, 1982

Eleanor M. Sullivan
Notary Public

ELEANOR M. SULLIVAN
NOTARY PUBLIC
SOMERSET COUNTY, MARYLAND

ORDER OF COURT

Upon the aforegoing Petition of the Attorney and Assignee, and his Affidavit, and good cause therefor being shown, it is this 20th day of May, 1982, ORDERED by the Circuit Court for Somerset County, State of Maryland, in Equity, that a fee of Five Hundred Dollars ($500.00) be allowed unto the Attorney and Assignee's in lieu of commissions as set forth in the Mortgage heretofore referred to.

Edward L. Amspacher
Judge

LAW OFFICES
LONG, LAWS,
HUGHES & BAHEN
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

RUSSELL C. DASHIELL JR., Attorney and Assignee for the purpose of foreclosure and collection of a Mortgage from Marshall L. Parks and Catherine E. Parks, his wife, to The Sussex Trust Company	* * * *	NO. 11,283 CHANCERY IN THE CIRCUIT COURT FOR SOMERSET COUNTY, STATE OF MARYLAND

* * * * * * * * * * * * * * * * *

AFFIDAVIT OF PURCHASER

STATE OF MARYLAND
COUNTY OF

ON THIS the 20th day of May, 1982, before me, the undersigned officer, personally appeared Jackson Lee Cook, and made oath in due form of law that he was the purchaser at the sale of the property described in this cause, and that

(a) He is not acting as agent for any other person, firm, partnership, or corporation other than himself;

(b) There are no other interested principals;

(c) No one was either directly or indirectly discouraged from bidding at said sale.

Jackson Lee Cook
Jackson Lee Cook

SUBSCRIBED AND SWORN to before me this 20th day of May, 1982.

Eleanor M. [illegible]
Notary Public

My Commission Expires:
July 1, 1982

LAW OFFICES
LONG, LAWS,
HUGHES & BAHEN
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

LIBER 048 PAGE 157

LIBER 048 PAGE 158

PRINCESS ANNE, MD., June 22 1982

This is to certify that the annexed Order Nisi

has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order Nisi

Dates Inserted: May 27, June 3, 10 1982

J Bryan Byrd

Business Manager MARYLANDER and HERALD

RUSSELL C. DASHIELL JR., Attorney and Assignee for the purpose of foreclosure and collection of a Mortgage from Marshall L. Parks and Catherine E. Parks, his wife, to The Sussex Trust Company

NO. 11,283
CHANCERY

IN THE
CIRCUIT COURT
FOR
SOMERSET
COUNTY,
STATE OF
MARYLAND

ORDER NISI

ORDERED, by the Circuit Court for Somerset County, State of Maryland, this 19th day of May, 1982, that the sale of the property mentioned in these proceedings and made and reported by Russell C. Dashiell Jr., Attorney and Assignee, be ratified and confirmed unless cause to the contrary be shown on or before the 21st day of June, 1982, provided a copy of this Order be inserted in some newspaper published in this County, once in each of three (3) successive weeks before the 14th day of June, 1982.

The Report of Sale states the amount of the sale to be Three Thousand Dollars ($3,000.00).

I. THEODORE
PHOEBUS
Clerk

TRUE COPY, TEST:
I. Theodore Phoebus
Clerk

RUSSELL C. DASHIELL JR., Attorney and Assignee for the purpose of foreclosure and collection of a Mortgage from Marshall L. Parks and Catherine E. Parks, his wife, to The Sussex Trust Company	* * * *	NO. 11,283 CHANCERY IN THE CIRCUIT COURT FOR SOMERSET COUNTY, STATE OF MARYLAND

* * * * * * * * * * * * * * * * * *

FINAL ORDER OF RATIFICATION

ORDERED by the Circuit Court for Somerset County, State of Maryland, in Equity, this 23rd day of June, 1982, that the sale made and reported by the Attorney and Assignee aforesaid, be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown although due notice appears to have been given as required by the Order Nisi passed in said cause and the said Attorney and Assignee is allowed the usual commissions or fees and such proper expenses as he shall produce vouchers therefor.

Lloyd L. Simpson
JUDGE

LIBER 048 PAGE 159

LAW OFFICES
LONG, LAWS,
HUGHES & BAHEN
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

LIBER 048 PAGE 160

RUSSELL C. DASHIELL, JR., Attorney and Assignee for the purpose of foreclosure and collection of a Mortgage from Marshall L. Parks and Catherine E. Parks, his wife, to The Sussex Trust Company	*	NO. 11,283 CHANCERY IN THE CIRCUIT COURT FOR SOMERSET COUNTY STATE OF MARYLAND

FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he made an examination of the proceedings in the above entitled cause and from them and the list of expenses furnished him therein, states the following Account:

Amount of Sale			$ 3,000.00
Interest from Date of Sale to Settlement			24.00
			$ 3,024.00
Fees, Costs, Expenses, etc.:			
I. Theodore Phoebus, Court costs		$ 136.00	
Marylander and Herald		173.00	
Advertising	$123.00		
Order Nisi	50.00		
Harris J. Riggin, Bond		30.00	
Carroll G. Long, Auctioneer		50.00	
Logan C. Widdowson, Auditor		50.00	
Notary Fees		9.00	
1981-82 State and County taxes		102.08	
Attorney's fee per Court Order of May 20, 1982		500.00	
Somerset County Sanitary District		230.71	
Total Fees, Costs, Expenses, etc.			$ 1,280.79
Balance to be Distributed			$ 1,743.21
Mortgage Debt - Principal	$ 1,814.85		
Interest per diem .49 from 10/27/81 to 8/2/82	136.16		
Late Charges	17.70		
Total Mortgage Debt	1,968.71		
Deficit			$ 225.50

ALL EXCEPTIONS to said report must be filed within fifteen (15) days of the date of filing; if no exceptions are filed, the Accounty may be ratified.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing on the date of the filing of the Audit notice of this report to the following parties by regular U.S. mail:

Russell C. Dashiell, Jr., Esquire
Law Offices of Long, Laws, Hughes and Bahen
124 East Main Street
Salisbury, Maryland 21801

Marshall Parks
P.O. Box 95
Westover, MD 21871

Catherine Parks
P.O. Box 95
Westover, MD 21871

Logan C. Widdowson, Auditor

Date of Filing: July 28, 1982

LOGAN C. WIDDOWSON
ATTORNEY AT LAW
NORTH SOMERSET AVENUE
PRINCESS ANNE, MD. 21853
651-3600

LCW/gjb
7/27/82
82 # 118

Chancery No. 11,283

INFORMATION FORM FOR COURT AUDITOR

1. Proceeds of Sale $ 3,000.00

2. Interest charged to date of settlement as per advertisement (54 days) $ 24.00

3. Total of all tax bills (paid and unpaid)

(a) 1981-82 portion paid by Sussex Trust(St. & Co.) $ 102.08
(b) 1981-82 portion paid by Sussex Trust(San.Dist.) $ 230.71
(c) $
(d) $
(e) $
(f) $

4. Other receipts, if any (personal property, etc.)

5. Complete list of all bills (Auditor's fee depends upon work done by him, minimum is $50.00) (please list name, purpose and amount)

Court costs		136.00
Harris J. Riggin Insurance Agency, Inc.		
Bond premium		30.00
Marylander & Herald		
Advertising	123.00	
Order Nisi	50.00	173.00
Carroll G. Long, auctioneer		50.00
Eleanor M. Gootee, Notary Public fees		9.00
Russell C. Dashiell, Jr.		
Attorneys' fee in lieu of commissions		500.00
Logan C. Widdowson, auditor's fee		75.00
		50

6. Name of Mortgagor: Marshall L. Parks and Catherine E. Parks, his wife

7. Principal amount: $ 1,814.85

8. Interest from 10/27/81 to 8/2/82 : $ 136.16
Late charges 17.70

9. Per diem rate: .49152

Please have receipts available if requested. Also, when surplus funds are available, please do search in order to decide priority and certify.

LIBER 048 PAGE 161

LIBER 048 PAGE 162

No. 11283 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 28th day of July, 1982 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the 12th day of August, 1982.

S. Theodore Phoebus
CLERK

No exceptions having been filed, and no cause to the contrary having been shown, IT IS ORDERED by the Circuit Court for Somerset County, in Equity, this 17th day of August, 1982 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

S. Theodore Phoebus
CLERK

OCT 25 1983
EXD

F. VERNON BOOZER and EDWARD C.	*	IN THE
COVAHEY, JR., Substituted Trustees	*	CIRCUIT COURT
VS.	*	OF
JAMES A. EBBESS and ESTHER R.	*	SOMERSET COUNTY
EBBESS, his wife	*	IN EQUITY 11271

****

ORDER TO DOCKET

MR. CLERK:

Please docket the above entitled matter and file the Deed of Trust from James A. Ebbess and Esther R. Ebbess, his wife, dated March 2, 1981 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 326, Folio 381 to Charles J. D'Arco and Ralph Reinecke, Trustees as Exhibit A, and Deed of Trust Note as Exhibit B, and Declaration of Substitution of Trustees dated February 5, 1982 and recorded among the aforementioned Land Records in Liber I.T.P. No. 331, Folio 376 substituting F. Vernon Boozer and Edward C. Covahey, Jr. as Substituted Trustees as Exhibit C, and enter our appearance for the Substituted Trustees.

COVAHEY AND BOOZER, Attorneys
F. Vernon Boozer
614 Bosley Avenue
Towson, Maryland 21204
301-828-9441

FOR DEED OF TRUST SEE LIBER ITP NO. 326, FOLIO 381

FOR DECLARATION OF SUBSTITUTION OF TRUSTEES SEE LIBER NO. 331, FOLIO 376

LIBER 048 PAGE 164

F. VERNON BOOZER and EDWARD C.	*	IN THE
COVAHEY, JR., Substituted Trustees	*	CIRCUIT COURT
VS.	*	OF
JAMES A. EBBESS and ESTHER R.	*	SOMERSET COUNTY
EBBESS, his wife	*	IN EQUITY 11271

****

NON-MILITARY SERVICE AFFIDAVIT

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, That on this 29th day of March, 1982, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared F. Vernon Boozer and made oath in due form of law that he knows the Defendants herein and that to the best of his information, knowledge and belief:

(1) Said Defendants are not in the Military Service of the United States of America;

(2) Said Defendants are not in the Military Service of any Nation allied with the United States of America;

(3) Said Defendants have not been ordered to report for induction under the Selective Training and Service Act;

(4) Said Defendants are not a member of the Enlisted Reserve Corps who have been ordered to report for Military Service.

F. VERNON BOOZER, Affiant

DONNA J. HILD, Notary Public

DONNA J. HILD
NOTARY PUBLIC
BALTIMORE COUNTY, MD.

F. VERNON BOOZER and EDWARD C.	*	IN THE
COVAHEY, JR., Substituted Trustees	*	CIRCUIT COURT
VS.	*	OF
JAMES A. EBBESS and ESTHER R.	*	SOMERSET COUNTY
EBBESS, his wife	*	IN EQUITY 1127

****

STATEMENT OF MORTGAGE DEBT

Statement of Mortgage Claim of 1st Family Mortgage Corporation of Florida by endorsement of the Note under the Deed of Trust from James A. Ebbess and Esther R. Ebbess, his wife, to Charles J. D'Arco and Ralph Reinecke, Trustees dated March 2, 1981 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 326, Folio 381.

Original principal balance	$49,500.00
Paid on principal	42.28
Principal balance due	$49,457.72
Interest $18.29 per diem 8/1/81 - 3/29/82	4,371.31
Late charges $24.40 per month - 7 months	170.80
Balance	$53,999.83
Balance in Expense Account	101.00
Balance due as of 3/29/82	$53,898.83

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, That on this 29th day of March, 1982, before me, the subscriber, a Notary Public of the State of Maryland in and for Baltimore County aforesaid, personally appeared F. Vernon Boozer the Agent for 1st Family Mortgage Corporation of Florida and attorney for the Plaintiffs in the above entitled case, and made oath that the aforegoing is a just and true statement of the amount of the mortgage claim under the mortgage filed in the said cause now remaining due and unpaid.

DONNA J. HILD, Notary Public

My comm. exp. 7/1/82

DONNA J. HILD NOTARY PUBLIC BALTIMORE COUNTY, MD.

LIBER 048 PAGE 165

F. VERNON BOOZER and EDWARD C.	*	IN THE
COVAHEY, JR., Substituted Trustees	*	CIRCUIT COURT
VS.	*	OF
JAMES A. EBBESS and ESTHER R.	*	SOMERSET COUNTY
EBBESS, his wife	*	CASE NO: 11,271

****

AFFIDAVIT OF COMPLIANCE

F. Vernon Boozer and Edward C. Covahey, Jr., Substituted Trustees, make oath, pursuant to Maryland Rule W 74 a 2(c), that they mailed to the Defendants in these foreclosure proceedings, at their last known address, on April 15, 1982 by Certified Mail, Return Receipt Requested, a notice of the time, place and terms of the foreclosure sale, which date was not earlier than twenty days, nor later than five days before the date of the sale in these proceedings.

F. VERNON BOOZER

EDWARD C. COVAHEY, JR.,
Substituted Trustees
614 Bosley Avenue
Towson, Maryland 21204
828-9441

SUBSCRIBED AND SWORN to before the undersigned, a Notary Public of the State of Maryland, County of Baltimore, this 15th day of April, 1982.

DONNA J. HILD, Notary Public

My comm. exp: 7/1/82

DONNA J. HILD NOTARY PUBLIC BALTIMORE COUNTY, MD.

TRUSTEE'S BOND

No. 11,271 Chancery Case

Somerset County

KNOW ALL MEN BY THESE PRESENTS:

That we F. Vernon Boozer and Edward C. Covahey, Jr., Sub-trustees as principal, and THE OHIO CASUALTY INSURANCE COMPANY, a corporation in the State of Ohio, as surety, are held and firmly bound unto the State of Maryland, in the full and just sum of $54,000. Dollars, current money, to be paid to the said State of Maryland, or its certain Attorney; to which payment, well and truly to be made and done, we bind ourselves, and each of us, our and each of our Heirs, Successors and Assigns, Executors and Administrators, jointly and severally, firmly by these presents.

Sealed with our seals and dated this 19th day of April, in the year of our Lord one thousand nine hundred and eighty two.

Whereas, the above bounden F. Vernon Boozer and Edward C. Covahey, Jr sub-trustees by virtue of a power of sale as set forth in a deed of trust as filed in the Circuit Court has been appointed trustee of property know as Rt 1 Mariners Road; crisfield, Maryland 21817 mentioned in the proceedings in the case of F. Vernon Boozer and Edward C. Covahey, Jr., Sub-trustees vs. James A. Ebbess & Esther R. his wife; C 11271 now pending in the said Court.

NOW THE CONDITION OF THE ABOVE OBLIGATION IS SUCH:

That if the above bounden F. Vernon Boozer and Edward C. Covahey, Jr. do and shall well and faithfully perform the trust reposed in them by said Power of Sale, or that may be reposed in them by any future decree or order in the premises, then the above obligation to be void; otherwise to be and remain in full force and virtue of law.

F. Vernon Boozer

Brenda J. Gill

Edward C. Covahey, Jr.

Brenda J. Gill

THE OHIO CASUALTY INSURANCE COMPANY

By Thomas M Keister (SEAL)

Attorney-in-fact

Thomas M Keister

THE WITHIN BOND APPROVED.

PER: L Theodore Phillips, CLERK.

LIBER 048 PAGE 167

Bond Book 11, Page 139

Bond Book 11, Page 140 LIBER 048 PAGE 168

CERTIFIED COPY OF POWER OF ATTORNEY

THE OHIO CASUALTY INSURANCE COMPANY

HOME OFFICE, HAMILTON, OHIO

No. 16-522

Know All Men by These Presents: That THE OHIO CASUALTY INSURANCE COMPANY, in pursuance of authority granted by Article VI, Section 7 of the By-Laws of said Company, does hereby nominate, constitute and appoint:

Thomas M. Keister or Karen Fleischer ---------- of Timonium, Maryland --------

its true and lawful agent and attorney -in-fact, to make, execute, seal and deliver for and on its behalf as surety, and as its act and deed any and all BONDS, UNDERTAKINGS, and RECOGNIZANCES, not exceeding in any single instance

ONE HUNDRED THOUSAND ---------- ($ 100,000.00 ----) Dollars, excluding, however, any bond(s) or undertaking(s) guaranteeing the payment of notes and interest thereon

And the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Hamilton, Ohio, in their own proper persons.

The authority granted hereunder supersedes any previous authority heretofore granted the above named attorney(s)-in-fact.

SEAL

In WITNESS WHEREOF, the undersigned, officer of the said The Ohio Casualty Insurance Company has hereunto subscribed his name and affixed the Corporate Seal of the said The Ohio Casualty Insurance Company this 5th day of December 19 79.

(Signed) Richard T. Hoffman

Asst. Secretary

STATE OF OHIO, COUNTY OF BUTLER } SS.

On this 5th day of December A. D. 19 79 before the subscriber, a Notary Public of the State of Ohio, in and for the County of Butler, duly commissioned and qualified, came Richard T. Hoffman, Asst. Secretary --- of THE OHIO CASUALTY INSURANCE COMPANY, to me personally known to be the individual and officer described in, and who executed the preceding instrument, and he acknowledged the execution of the same, and being by me duly sworn deposeth and saith, that he is the officer of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and the said Corporate Seal and his signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

NOTARIAL SEAL BUTLER COUNTY, OHIO

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal at the City of Hamilton, State of Ohio, the day and year first above written.

(Signed) Dorothy Bibee

Notary Public in and for County of Butler, State of Ohio

My Commission expires December 11, 1981

This power of attorney is granted under and by authority of Article VI, Section 7 of the By-Laws of the Company, adopted by its directors on April 2, 1954, extracts from which read:

"ARTICLE VI"

"Section 7. Appointment of Attorney-in-Fact, etc. The chairman of the board, the president, any vice-president, the secretary or any assistant secretary shall be and is hereby vested with full power and authority to appoint attorneys-in-fact for the purpose of signing the name of the Company as surety to, and to execute, attach the corporate seal, acknowledge and deliver any and all bonds, recognizances, stipulations, undertakings or other instruments of suretyship and policies of insurance to be given in favor of any individual, firm, corporation, or the official representative thereof, or to any county or state, or any official board or boards of county or state, or the United States of America, or to any other political subdivision."

This instrument is signed and sealed by facsimile as authorized by the following Resolution adopted by the directors of the Company on May 27, 1970:

"RESOLVED that the signature of any officer of the Company authorized by Article VI Section 7 of the by-laws to appoint attorneys in fact, the signature of the Secretary or any Assistant Secretary certifying to the correctness of any copy of a power of attorney and the seal of the Company may be affixed by facsimile to any power of attorney or copy thereof issued on behalf of the Company. Such signatures and seal are hereby adopted by the Company as original signatures and seal, to be valid and binding upon the Company with the same force and effect as though manually affixed."

CERTIFICATE

I, the undersigned Assistant Secretary of The Ohio Casualty Insurance Company, do hereby certify that the foregoing power of attorney, Article VI Section 7 of the by-laws of the Company and the above Resolution of its Board of Directors are true and correct copies and are in full force and effect on this date.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Company this day of A.D., 19

SEAL

Assistant Secretary

S-4300-C 12-80-3M

F. VERNON BOOZER and EDWARD C.	*	IN THE
COVAHEY, JR., Substituted Trustees	*	CIRCUIT COURT
VS.	*	OF
JAMES A. EBBESS and	*	SOMERSET COUNTY
ESTHER R. EBBESS, his wife	*	CASE NO. 11,271

****

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, that on this 27th day of April, 19 82, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Donna Hild Purchaser at the foreclosure sale in this cause, and made oath in due form of law that she is/are the Purchaser and purchased same as principal or as agent for First Family Mortgage Corporation of Florida and that she has/have not directly or indirectly discouraged anyone from bidding on said property known as Route 1, Mariner's Road mentioned in the said Report of Sale.

Donna Hild
Purchaser DONNA HILD, Agent for FIRST FAMILY MORTGAGE CORPORATION OF FLORIDA

F. Vernon Boozer Notary Public
My comm. exp. 7/1/82

F. VERNON BOOZER NOTARY PUBLIC BALTIMORE COUNTY MD

LIBER 048 PAGE 169

LIBER 048 PAGE 170

F. VERNON BOOZER and EDWARD C.	*	IN THE
COVAHEY, JR., Substituted Trustees	*	CIRCUIT COURT
VS.	*	OF
JAMES A. EBBESS and	*	SOMERSET COUNTY
ESTHER R. EBBESS, his wife	*	CASE NO. 11,271

****

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF THE CIRCUIT COURT OF SOMERSET COUNTY:

The Report of Sale of F. Vernon Boozer and Edward C. Covahey, Jr., Substituted Trustees under a Power of Sale set forth in the Deed of Trust filed in the above entitled cause to make sale of fee simple property known as No. Route 1, Mariner's Road in the proceedings in said cause mentioned respectfully shows, that after giving bond with security for the faithful discharge of their trust as prescribed which was duly approved and having given notice of the time, place, manner and terms of sale by advertisements inserted in the Crisfield Times, a newspaper published in Somerset County for more than three successive weeks preceding the day of sale, said Substituted Trustees did pursuant to said notice on April 27, 1982 at 11:00 a.m. attend on the premises and then and there sold the fee simple property known as Route 1, Mariner's Road, to Donna Hild as Agent for First Family Mortgage Corporation of Florida at and for the price of Fifty thousand (50,000.00) Dollars, she being the highest bidder therefor.

F. VERNON BOOZER

EDWARD C. COVAHEY, JR.,
Substituted Trustees

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, that on this 28th day of April, 1982, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County of Baltimore aforesaid, personally appeared F. Vernon Boozer and Edward C. Covahey, Jr., Substituted Trustees and made oath that the facts stated in the aforegoing Report of Sale are true, as therein set forth, and that the sale thereby reported was fairly made.

AS WITNESS my hand and Notarial Seal.

PEGGY KING ARMACOST, Notary Public

My commission expires: 7/1/82

F. VERNON BOOZER and EDWARD C.	*	IN THE
COVAHEY, JR., Substituted Trustees	*	CIRCUIT COURT
VS.	*	OF
JAMES A. EBBESS and	*	SOMERSET COUNTY
ESTHER R. EBBESS, his wife	*	CASE NO. 11, 271

****

ORDER NISI

ORDERED, this 3rd day of May, 1982, by the Circuit Court of Somerset County as a Court of Equity, that the sale made by F. Vernon Boozer and Edward C. Covahey, Jr., Substituted Trustees to First Family Mortgage Corporation of Florida and reported in the above entitled cause, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 2nd day of June, 1982 next; provided a copy of this Order be inserted in some newspaper published in said Somerset County once a week for three successive weeks before the said 2nd day of June, 1982.

The report states the amount of the sale to be $50,000.00.

L. Theodore Phelps
Clerk

F. VERNON BOOZER and EDWARD C.	*	IN THE
COVAHEY, JR., Substituted Trustees	*	CIRCUIT COURT
VS.	*	OF
JAMES A. EBBESS and	*	SOMERSET COUNTY
ESTHER R. EBBESS, his wife	*	CASE NO. 11,271

****

PETITION TO SUBSTITUTE PURCHASER

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The Petition of F. Vernon Boozer and Edward C. Covahey, Jr., Substituted Trustees herein, respectfully represents:

1. That your Petitioners as Substituted Trustees sold the real property which is the subject of these proceedings on April 27, 1982 at public auction sale unto First Family Mortgage Corporation of Florida as duly reported to this Honorable Court, at and for the price of $50,000.00.

2. That since the time of the Report of Sale, the Purchaser has assigned all its right, title and interest in and to the Contract of Sale for said real property between itself and your Petitioners to Robert P. Nimmo, Administrator of Veterans Affairs, an Officer of the United States of America, his successors and assigns for the sum of $50,000.00.

WHEREFORE, your Petitioners pray that this Honorable Court pass an Order authorizing them to deed and convey said real property unto Robert P. Nimmo, Administrator of Veterans Affairs, an Officer of the United States of America, his successors and assigns as Substituted Purchaser.

F. VERNON BOOZER

EDWARD C. COVAHEY, JR.,
Substituted Trustees

A S S E N T

The undersigned Purchaser hereby consents to the relief prayed in the foregoing Petition.

FIRST FAMILY MORTGAGE CORPORATION OF FLORIDA

By: _____
Dennis J Noonan, Assistant Vice President

F. VERNON BOOZER and EDWARD C.	*	IN THE
COVAHEY, JR., Substituted Trustees	*	CIRCUIT COURT
VS.	*	OF
JAMES A. EBBESS and	*	SOMERSET COUNTY
ESTHER R. EBBESS, his wife	*	CASE NO. 11,271

****

ORDER

Upon the foregoing Petition and Assent, it is hereby this 19th day of May, 1982, by the Circuit Court of Somerset County

ORDERED, that Robert P. Nimmo, Administrator of Veterans Affairs, an Officer of the United States of America, his successors and assigns, be, and is hereby substituted as Purchaser of the property mentioned in these proceedings known as Route 1, Mariner's Road in the place and stead of First Family Mortgage Corporation of Florida.

Lloyd L. Smith

Judge

Covahey and Boozer
Attorneys
614 Bosley Avenue
Towson, Maryland 21204

F. Vernon Boozer and Edward C. Covahey, Jr.,
Substitute Trustees
Vs.
James A. Ebbess and
Esther R. Ebbess, his wife

In the Circuit Court of
Somerset County. Case
No. 11,271

Order Nisi

Ordered, this 3rd day of May, 1982, by the Circuit Court of Somerset County as a Court of Equity, that the sale made by F. Vernon Boozer and Edward C. Covahey, Jr., Substituted Trustees to First Family Mortgage Corporation of Florida and reported in the above entitled cause, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 2nd day of June, 1982 next; provided a copy of this Order be inserted in some newspaper published in said Somerset County once a week for three successive weeks before the said 2nd day of June, 1982.

The report states the amount of the sale to be $50,000.00.

I. Theodore Phoebus,
Clerk

True Copt, Test:
I. Theodore Phoebus,
Clerk.

5-6-31

043 PAGE 174

CRISFIELD, MD. 6-9 1982

THIS is to certify that the annexed Order Nisi

has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in

said Order Nisi for 3

weeks beginning with the issue of May 6, 1982

and ending May 20 1982.

William A. Martin Jr.

Publisher, THE CRISFIELD TIMES

CRISFIELD, MD. 5-12- 1982

THIS is to certify that the annexed Trustee Sale has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Trustee Sale for 3 weeks beginning with the issue of April 8, 1982 and ending April 22, 1982.

William A. Martin Jr.
Publisher, THE CRISFIELD TIMES

LIBER 048 PAGE 175

COVAHEY AND BOOZER
Attorneys at Law
614 Bosley Avenue
Towson, Maryland 21204
823-9441

Substituted Trustees' Sale

Of Valuable

Fee Simple Dwelling Property

KNOWN AS NO. ROUTE 1, MARINER'S ROAD
CRISFIELD, MARYLAND 21817

Under and by virtue of the power of sale contained in a certain Deed of Trust from James A. Ebbess and Esther R. Ebbess, his wife, to Charles J. D'Arco and Ralph Reinecke, Trustees dated the 2nd day of March, 1981, and recorded among the Land Records of Somerset County in Liber I.T.P. No. 326, Folio 381, and Declaration of Substitution of Trustees dated February 5, 1982 and recorded as aforesaid in Liber I.T.P. No. 331, folio 376 substituting F. Vernon Boozer and Edward C. Covahey, Jr. as Substituted Trustees under the Deed of Trust aforesaid, and default having occurred under the terms thereof, the undersigned Substituted Trustees will offer for sale at public auction on the premises on

TUESDAY, APRIL 27, 1982
At 11:00 A. M.

All that lot of ground and the improvements thereon situate in Somerset County, State of Maryland, and described as follows:

ALL that lot or parcel of land situate, lying and being near the Town of Crisfield, Crisfield Election District, of Somerset County and State of Maryland and being located along and binding upon the Southerly line of Mariner's Road and being located along and binding upon the Westerly line of Hinman Lane, and having a frontage on the said Mariner's Road of 163 feet and extending back therefrom along the Westerly line of Hinman Lane for a distance of 269.5 feet; and extending back therefrom along the Westerly line thereof for a distance of 266.05 feet; and having a width in rear of 158 feet; and being more particularly shown and designated on a location survey prepared for James A. Ebbess and Esther Ebbess, his wife; the improvements thereon being known as South Side of Mariner's Road, Crisfield, Maryland 21817.

BEING the same lot of ground described in a Deed dated March 2, 1981 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 326, Folio 378 from Pauline Daniello to James A. Ebbess and Esther R. Ebbess, his wife.

The improvements thereon consists of a dwelling.

The property will be sold in "As Is" condition, subject to any existing building violations, etc. and also subject to conditions, restrictions and agreements of record affecting same, if any.

TERMS OF SALE: Cash or certified check deposit in the amount of $5400.00 or 10% of the purchase price, whichever is greater, will be required of the purchaser at the time and place of sale, balance in cash, upon final ratification of the sale by the Circuit Court of Somerset County and to bear interest at the rate of 13.5% per annum from date of sale to date of settlement. Taxes, water rent and ground rent, if any, to be adjusted to date of sale. All other public charges and assessments payable on an annual basis, including sanitary and/or metropolitan district charges to be adjusted for the current year to date of sale and assumed thereafter by the purchaser. Cost of all documentary stamps and transfer taxes shall be borne by the purchaser.

F. VERNON BOOZER
EDWARD C. COVAHEY, JR.
Substituted Trustees

Atlantic Auctions, Inc.

Auctioneers

3420 Reisterstown Road *Baltimore, Md. 21215*

(301) 542-9300

4-8-3t

F. VERNON BOOZER and EDWARD C.	*	IN THE
COVAHEY, JR., Substituted Trustees	*	CIRCUIT COURT
VS.	*	OF
JAMES A. EBBESS and ESTHER R.	*	SOMERSET COUNTY
EBBESS, his wife	*	CASE NO. 11,271

****

PETITION FOR ALLOWANCE OF COUNSEL FEE IN LIEU OF COMMISSIONS

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The Petition of Covahey and Boozer, Attorneys for the Substituted Trustees, respectfully represents:

1. That on the 1st day of April, 1982, Covahey and Boozer as attorneys for the above-captioned Substituted Trustees, requested that suit in foreclosure under a Deed of Trust from James A. Ebbess and Esther R. Ebbess, his wife to Charles J. D'Arco and Ralph Reinecke, Trustees dated March 2, 1981 be docketed in this Court.

2. Counsel has acted as attorneys for the Substituted Trustees in the above-captioned matter from the time of the aforesaid docketing of the foreclosure suit and continue to so act at the present time.

3. Counsel has attended to all of the necessary legal requirements in connection with the filing of the suit, preparation of the legal advertisements and sale of the property conveyed by Deed of Trust, including supervision of the preparation of the Statement of the Deed of Trust or Mortgage Debt, Affidavit of Military Service, Trustees' Report of Sale, procuring and filing of Bond, Affidavit of Purchasers, Affidavit of Compliance and any and all other pertinent legal documents as may have been filed in the instant suit, and has supervised the preparation and conveyance of the subject property to the purchaser, and other related legal services.

4. The aforesaid sale has been ratified and confirmed by this Honorable Court on June 14,1982.

5. Said Deed of Trust provides, among other things, that from the proceeds of any sale made pursuant to its terms by the Trustees, the latter shall first pay all costs, charges and expenses, including all attorneys and other fees and costs.

6. Your Petitioners believe and therefore aver that a reasonable counsel fee for legal services rendered to the Substituted Trustees in this matter is $300.00.

WHEREFORE, your Petitioners pray that this Court pass an Order directing the auditor in his accounting to this Court in this proceedings, to allow Covahey and Boozer, as Attorneys for the Substituted Trustees, a reasonable attorneys fee, to wit $300.00 in lieu of commissions.

Respectfully submitted,

COVAHEY AND BOOZER

F. Vernon Boozer
Attorneys for Sub. Trustees
614 Bosley Avenue
Towson, Maryland
828-9441

F. VERNON BOOZER and EDWARD C.	*	IN THE
COVAHEY, JR., Substituted Trustees	*	CIRCUIT COURT
VS.	*	OF
JAMES A. EBBESS and ESTHER R.	*	SOMERSET COUNTY
EBBESS, his wife	*	CASE NO. 11,271

****

ORDER

Upon the foregoing Petition, it is this 7th day of July, 1982, by the Circuit Court of Somerset County

ORDERED, that the auditor in his accounting to this Court in the above-captioned proceedings allow Covahey and Boozer, as attorneys for the Substituted Trustees herein, attorneys fee in the amount of $300.00 in lieu of trustees' commissions.

Judge

LIBER 048 PAGE 178

F. VERNON BOOZER and EDWARD C.	*	IN THE
COVAHEY, JR., Substituted Trustees	*	CIRCUIT COURT
VS.	*	OF
JAMES A. EBBESS and	*	SOMERSET COUNTY
ESTHER R. EBBESS, his wife	*	CASE NO. 11,271

****

FINAL ORDER OF RATIFICATION

ORDERED, this 14th day of June, 1982, by the Circuit Court of Somerset County sitting as a Court of Equity, and by the authority thereof, that the sale made by F. Vernon Boozer and Edward C. Covahey, Jr., Substituted Trustees, and reported in the above entitled cause be, and the same is hereby, finally ratified and confirmed; no cause to the contrary thereof having been shown, although notice appears to have been given as required by the preceding Order.

Lloyd L. Griffin
Judge

F. VERNON BOOZER and EDWARD C. COVAHEY, JR., Substituted Trustees	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COUNTY
vs.	*	STATE OF MARYLAND
JAMES A. EBBESS and ESTHER R. EBBESS, his wife	*	CHANCERY CASE NO. 11,271
	*	

FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he made an examination of the proceedings in the above entitled cause and from them and the list of expenses furnished him therein, states the following Account:

Amount of Sale			$ 50,000.00
Interest from Date of Sale to Settlement			798.90
Tax Refund			12.12
			$ 50,811.02
Fees, Costs, Expenses, Etc.:			
I. Theodore Phoebus Court Costs		$ 142.00	
Crisfield Times		207.20	
Advertising	$168.00		
Order Nisi	39.20		
Trustee's Bond		216.00	
Atlantic Auctions, Auctioneer		100.00	
Logan C. Widdowson, Auditor		50.00	
Attorney's Fee per Court Order July 7, 1982		300.00	
Certified Mail		3.10	
Total Fees, Costs, Expenses, Etc.		1,018.30	
Balance to be Distributed			$ 49,792.72
Balance due per statement of Mortgage Debt		$53,898.83	
Interest from 3/30/82 to 8/24/82 (147 days at $18.29 per diem		2,688.63	
Total Debt			$ 56,587.46
Deficit			$ 5,776.44

ALL EXCEPTIONS to said report must be filed within fifteen (15) days. of the date of filing; if no exceptions are filed, the Account may be ratified.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing on the date of the filing of the Audit notice of this report to the following parties by regular U.S. mail:

F. Vernon Boozer
Edward C. Covahey, Jr.
Attorneys at Law
614 Bosley Avenue
Towson, Maryland 21204

James A. Ebbess
Route 1, Mariner's Road
Crisfield, Maryland 21817

Esther R. Ebbess
Route 1, Mariner's Rd.
Crisfield, Md. 21817

LOGAN C. WIDDOWSON
ATTORNEY AT LAW
NORTH SOMERSET AVENUE
PRINCESS ANNE, MD. 21853
651-3500

LCW/gjb
8/9/82
82 # 119

Logan C. Widdowson, Auditor

Date of Filing: August 9, 1982

No. 11,271 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 9th day of August, 19 82 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the 24th day of August, 19 82.

J. Theodore Phoebus
CLERK

No exceptions having been filed, and no cause to the contrary having been shown, IT IS ORDERED by the Circuit Court for Somerset County, in Equity, this _____ day of _____, 19_____ that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

_____
CLERK

F. VERNON BOOZER and EDWARD C. COVAHEY, JR., Substituted Trustees	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COUNTY
vs.	*	STATE OF MARYLAND
JAMES A. EBBESS and ESTHER R. EBBESS, his wife	*	CHANCERY CASE NO. 11,271

AMENDED AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he made an examination of the proceedings in the above entitled cause and from them and the list of expenses furnished him therein, states the following Account:

Amount of Sale			$ 50,000.00
Interest from Date of Sale to Settlement			798.90
Tax Refund			12.12
			$ 50,811.02
Fees, Costs, Expenses, Etc.:			
I. Theodore Phoebus, Court Costs		$ 142.00	
Crisfield Times		207.20	
Advertising	$ 168.00		
Order Nisi	39.20		
Trustee's Bond		216.00	
Atlantic Auctions, Auctioneer		100.00	
Logan C. Widdowson, Auditor		50.00	
Attorney's Fee per Court Order July 7, 1982		300.00	
Certified Mail		3.10	
Total Fees, Costs, Expenses, Etc.		1,018.30	
Balance to be Distributed			$ 49,792.72
Balance due per statement of Mortgage Debt		$53,898.83	
Interest from 3/30/82 to 8/24/82 (147 days at $18.29 per diem)		2,688.63	
Total Debt			$ 56,587.46
Deficit			$ 6,794.74

In the original audit report filed in these proceedings, the deficit was incorrectly shown as $5,776.44. The correct deficit is $6,794.74.

ALL EXCEPTIONS to said report must be filed within fifteed (15) days of the date of filing; if no exceptions are filed, the Account may be ratified.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing on the date of the filing of the Audit notice of this report to the following parties by regular U.S. mail:

F. Vernon Boozer
Edward C. Covahey, Jr.
Attorneys at Law
614 Bosley Avenue
Towson, MD 21204

James A. Ebbess
Route 1, Mariner's Road
Crisfield, MD 21817

Esther R. Ebbess
Rt. 1, Mariner's Road
Crisfield, MD 21817

Logan C. Widdowson, Auditor

Date fo Filing: August 12, 1982

LIBER 048 PAGE 181

LOGAN C. WIDDOWSON
ATTORNEY AT LAW
NORTH SOMERSET AVENUE
PRINCESS ANNE, MD. 21853
651-3800

LCW/gjb
8/12/82
82 # 120

No. 11,271 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 12th day of August, 19 82 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the 27th day of August, 19 82.

J. Theodore Phoebus
CLERK

No exceptions having been filed, and no cause to the contrary having been shown, IT IS ORDERED by the Circuit Court for Somerset County, in Equity, this 30th day of August, 19 82 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

J. Theodore Phoebus
CLERK

VA Form 26-6318d (Home Loan)
Revised Jun 1974
Use Optional. Section
1810, Title 38, U.S.C.
Acceptable to Federal
National Mortgage
Association

MARYLAND

DEED OF TRUST NOTE

Salisbury, Maryland.

$ 49,500.00

March 2, 1981.

FOR VALUE RECEIVED, the undersigned promise(s) to pay to PIONEER MORTGAGE COMPANY, a Maryland corporation, ----------

or order, the principal sum of FORTY NINE THOUSAND FIVE HUNDRED and 00/100ths ---------- Dollars ($ 49,500.00), with interest from date at the rate of thirteen & one-half per centum (13.50 %) per annum on the unpaid balance until paid, said principal and interest being payable at the office of

Pioneer Mortgage Company ----------, in 6571 Edsal Road, Springfield, VA 22151 ----------,

or at such other place as the holder hereof may designate in writing delivered or mailed to the debtor, in monthly installments of Five Hundred Sixty Seven and 27/100ths Dollars ($567.27 ----), commencing on the first day of May ----------, 19 81, and continuing on the first day of each month thereafter until this note is fully paid, except that, if not sooner paid, the final payment of principal and interest shall be due and payable on the first day of April ----------, 2011.

Privilege is reserved to prepay at any time, without premium or fee, the entire indebtedness or any part thereof not less than the amount of one installment, or one hundred dollars ($100.00), whichever is less. Prepayment in full shall be credited on the date received. Partial prepayment, other than on an installment due date, need not be credited until the next following installment due date or thirty days after such prepayment, whichever is earlier.

If any deficiency in the payment of any installment under this note is not made good prior to the due date of the next such installment, the entire principal sum and accrued interest shall at once become due and payable without notice at the option of the holder of this note. Failure to exercise this option shall not constitute a waiver of the right to exercise the same in the event of any subsequent default.

This note is secured by Deed of Trust of even date executed by the undersigned on certain property described therein and represents money actually used for the acquisition of said property or the improvements thereon.

Presentment, protest and notice are hereby waived.

James A. Ebbess
JAMES A. EBBESS

Esther R. Ebbess
ESTHER R. EBBESS

LIBER 048 PAGE 183

THIS IS TO CERTIFY that this is the note described in, and secured by, a Deed of Trust of even date herewith and in the same principal amounts as herein stated to Charles J. D'Arco and Ralph Reinecke

Trustee(s) on real estate located in Somerset ---------- County, State of Maryland, and known as: Mariner's Road, Crisfield, MD 21817.

Dated this 2nd day of March, 1981.

Linda L. Elliott
Notary Public

NOTARY PUBLIC
LINDA L. ELLIOTT
WICOMICO CO., MD.

My Commission Expires: 7/1/82

Without Recourse, Pay to the order of

FIRST FAMILY MORTGAGE CORPORATION OF FLORIDA

Pioneer Mortgage Company

LIBER 048 PAGE 184

Faye Barackman, Asst. Vice President

WITHOUT RECOURSE PAY TO THE ORDER OF:

FIRST FAMILY MORTGAGE CORPORATION OF FLORIDA

BY

ASSISTANT SECRETARY

F. VERNON BOOZER and EDWARD C.	*	IN THE
COVAHEY, JR., Substituted Trustees	*	CIRCUIT COURT
VS.	*	OF
JAMES A. EBBESS and ESTHER R. EBBESS,	*	SOMERSET COUNTY
his wife	*	CASE NO. 11,271

****

MOTION TO WITHDRAW ORIGINAL DEED OF TRUST AND NOTE

F. Vernon Boozer and Edward C. Covahey, Jr., Substituted Trustees herein, beg leave of the Court to withdraw the original Deed of Trust and Note in the above entitled cause upon the substitution of a photostatic copy in lieu thereof.

F. VERNON BOOZER

EDWARD C. COVAHEY, JR.,
Substituted Trustees

Leave is hereby granted.

K. D. Horney
9-9-82 Judge

LIBER 048 PAGE 186

F. VERNON BOOZER and EDWARD C.	*	IN THE
COVAHEY, JR., Substituted Trustees	*	CIRCUIT COURT
VS.	*	OF
JAMES A. EBBESS and ESTHER R. EBBESS,	*	SOMERSET COUNTY
his wife	*	CASE NO. 11,271

****

ASSIGNMENT OF RIGHT TO DEFICIENCY DECREE

First Family Mortgage Corporation of Florida hereby assigns all its rights, title and interest in and to the above proceedings, and any claim of the secured party against the Defendants herein, for a right to a decree in the foreclosure for the deficiency as stated in the Auditor's Account in the amount of Six Thousand Seven Hundred Ninty-Four Dollars and Seventy Four Cents ($6,794.74) to Robert P. Nimmo, Administrator of Veterans Affairs, an officer of the United States of America, his successors and assigns, and directs that the Clerk enter said proceedings to the use of Robert P. Nimmo, Administrator of Veterans Affairs, as an officer of the United States of America, his successors and assigns in office.

FIRST FAMILY MORTGAGE CORPORATION OF FLORIDA

By: Jeanne L. Rusert

Jeanne L. Rusert, Assistant Secretary

F. VERNON BOOZER
Covahey and Boozer
614 Bosley Avenue
Towson, Maryland 21204
828-9441

STATE OF Illinois , COUNTY OF Will , to wit:

I HEREBY CERTIFY, that on this 9th day of September , 1982, before me the subscriber, a Notary Public of the State aforesaid, personally appeared Jeanne L. Rusert the Asst. Secretary of First Family Mortgage Corporation of Florida and acknowledged the foregoing Assignment to be the act of the said body corporate being duly authorized to do so.

AS WITNESS my hand and Notarial Seal.

My comm. exp. 8/4/84

Sharon F. Gordon Notary Public

NOTARY PUBLIC COUNTY

OCT 25 1983

Exd.

DAVID A. CARNEY and KEVIN J. KELEHAN, Substitute Trustees	*	IN THE
	*	CIRCUIT COURT
Plaintiffs	*	FOR
vs.	*	SOMERSET COUNTY
CARL E. NELSON and JERALDINE L. NELSON	*	IN EQUITY
	*	EQUITY NO. 10797
Defendants		

* * * * * * *

STATEMENT OF DEBT

The Statement of Debt by Mercantile Mortgage Corporation, Lender, under that Deed of Trust securing a Note from Carl E. Nelson and Jeraldine L. Nelson to Mercantile Mortgage Corporation, which Deed of Trust is dated December 16, 1977 and recorded among the Land Records of Somerset County in Liber 304, folio 624.

Principal owed as of January 1, 1980	$30,166.89
Late charges owed as of Jan. 1, 1980	19.84
Interest owed as of Jan 1, 1980	1,492.63
TOTAL	31,679.36
Less Escrow Balance	268.00
TOTAL	31,411.36
Per day interest rate $7.82	

STATE OF MARYLAND, COUNTY OF HOWARD, to wit:

I HEREBY CERTIFY that on this 22d day of JANUARY, 1980, before me, the subscriber, a Notary Public of the State of Maryland in and for Baltimore City, personally appeared KEVIN J. KELEHAN, Attorney for Mercantile Mortgage Corporation, the Plaintiff in the above entitled cause, and made oath that to the best of his knowledge

information and belief the foregoing is a true statement of the amount of the claim under the Deed of Trust filed in the said cause now remaining due and unpaid.

AS WITNESS my hand and Notarial Seal.

Kathleen L. Junker
Notary Public

KATHLEEN L. JUNKER NOTARY PUBLIC BALTIMORE CITY

My Commission Expires: 7-1-82

OR ORIGINAL DEED OF TRUST SEE LIBER 304, FOLIO 624

FOR DEED OF APPOINTMENT OF SUBSTITUTE TRUSTEE SEE LIBER 320, FOLIO 30.

DAVID A. CARNEY and KEVIN J. KELEHAN Substitute Trustees	*	IN THE
	*	CIRCUIT COURT
Plaintiffs	*	FOR
vs.	*	SOMERSET COUNTY
CARL E. NELSON and JERALDINE L. NELSON	*	IN EQUITY
	*	EQUITY NO. 10797
Defendants		

* * * * * * *

MILITARY AFFIDAVIT

STATE OF MARYLAND, COUNTY OF HOWARD, to wit:

I HEREBY CERTIFY that, before me, the Subscriber, a Notary Public of said State in and for the County aforesaid, personally appeared KEVIN J. KELEHAN, Substitute Trustee for MERCANTILE MORTGAGE CORPORATION a body corporate and made oath in due form of law that he knows the Defendants herein, and that to the best of his information, knowledge and belief:

(1) Said Defendants are not in the military service of the United State.

(2) Said Defendants are not in the military service of any nation allied with the United States.

(3) Said Defendants have not been ordered to report for induction under the Selective Training and Service Act of 1940 as amended.

(4) Said Defendants are not members of the Enlisted Reserve Corps, who have been ordered to report for military service.

Kevin J. Kelehan, Substitute Trustee Affiant

Subscribed and Sworn to before me this 23 day of January 1980.

Kathleen L. Junker
Notary Public

BALTIMORE CITY, MD. KATHLEEN L. JUNKER NOTARY PUBLIC

My Commission Expires: 7/1/82

LIBER 048 PAGE 189

VA Form 26-6318d (Home Loan)
Revised Jun 1974
Use Optional. Section
1810, Title 38, U.S.C.
Acceptable to Federal
National Mortgage
Association

PLAINTIFF'S EXHIBIT B

MARYLAND

LIBER 048 PAGE 190

DEED OF TRUST NOTE

Salisbury, Maryland.

$30,500.00 December 16, 1977.

FOR VALUE RECEIVED, the undersigned promise(s) to pay to MERCANTILE MORTGAGE CORPORATION, a Maryland Corporation ----------

or order, the principal sum of THIRTY THOUSAND FIVE HUNDRED and no/100ths ---------- Dollars ($ 30,500.00), with interest from date at the rate of eight and one-half per centum (—8.5 %) per annum on the unpaid balance until paid, said principal and interest being payable at the office of Mercantile Mortgage Corporation --------, in Baltimore, Maryland, 21203 -------, or at such other place as the holder hereof may designate in writing delivered or mailed to the debtor, in monthly installments of Two Hundred Thirty Four and 55/100ths Dollars ($ 234.55——), commencing on the first day of February, 1978, and continuing on the first day of each month thereafter until this note is fully paid, except that, if not sooner paid, the final payment of principal and interest shall be due and payable on the first day of January, 2008.

Privilege is reserved to prepay at any time, without premium or fee, the entire indebtedness or any part thereof not less than the amount of one installment, or one hundred dollars ($100.00), whichever is less. Prepayment in full shall be credited on the date received. Partial prepayment, other than on an installment due date, need not be credited until the next following installment due date or thirty days after such prepayment, whichever is earlier.

If any deficiency in the payment of any installment under this note is not made good prior to the due date of the next such installment, the entire principal sum and accrued interest shall at once become due and payable without notice at the option of the holder of this note. Failure to exercise this option shall not constitute a waiver of the right to exercise the same in the event of any subsequent default.

This note is secured by Deed of Trust of even date executed by the undersigned on certain property described therein and represents money actually used for the acquisition of said property or the improvements thereon.

Presentment, protest and notice are hereby waived.

Carl E. Nelson
CARL E. NELSON

Geraldine L. Nelson
JERALDINE L. NELSON

THIS IS A TRUE AND CERTIFIED COPY OF THE ORIGINAL

THIS IS TO CERTIFY that this is the note described in, and secured by, a Deed of Trust of even date herewith and in the same principal amounts as herein stated to Robert E. Voelkel, Jr., and Edward J. Murn ---------- Trustee(s) on real estate located in Somerset ---------- County, State of Maryland, and known as: 309 A Calvary Road, Crisfield, Maryland, 21817,

Dated this 16th day of December, 1977.

VERNA M. HUDSON NOTARY PUBLIC WICOMICO CO. MD.

Verna M. Hudson
Notary Public
530478

My Commission Expires: 7/1/78

Maryland

No. 10797 Chancery Case

WESTERN SURETY COMPANY

One of America's Oldest Bonding Companies

CHICAGO • SIOUX FALLS • DALLAS
PALO ALTO • BALA-CYNWYD, PA.

TRUSTEES, MORTGAGEES, ATTORNEYS OR FORECLOSURE BOND

KNOW ALL MEN BY THESE PRESENTS: FORM No. 19-TM- 4322

That we, David A. Carney & Kevin J. Kelehan, as Principal, and the WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, as Surety, authorized to do business in the State of Maryland, are held and firmly bound in the sum of Thirty three thousand and no/100---($ 33,000.00) DOLLARS,
(NOT VALID IF FILLED IN FOR MORE THAN $500,000.00)
to be paid to the said State of Maryland or its certain Attorney, to which payment well and truly to be made, we bind ourselves and our legal representatives, jointly and severally, by these presents.

Sealed with our seals and dated this 28th day of February, 19 80.

WHEREAS, the above bounden David A. Carney & Kevin J. Kelehan

by virtue of the power contained in a mortgage from Carl E. Nelson & Jeraldine L. Nelson

to Robert E. Voelkel, Jr. & Edward J. Murn

bearing date the 16th day of December 1977 and recorded among

the mortgage records of Somerset County

in Liber _____ No. 304 Folio 624

and _____

is about to sell the land and premises described in said mortgage, default having been made in the payment of the money as specified, and in the conditions and covenants therein contained.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bounden

David A. Carney & Kevin J. Kelehan

do and shall well and truly and faithfully perform the trust reposed in them under the mortgage aforesaid, and shall abide by and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of said mortgaged property, or the proceeds thereof, then the above obligation to be void; otherwise to be and remain in full force and virtue in law.

Signed, Sealed and delivered in the presence of

As to Principal

Principal

As to Surety

Principal

WESTERN SURETY COMPANY

By D. Bohnson, Ass't Sec.

Countersigned by John W. Jawes Maryland Resident Agent

THE WITHIN BOND APPROVED.

PER: Edward Phelps, CLERK. FEB 28 1 20 PM '80

RECORDED IN ITP JUDGE NO. 11 FOLIO 41. ELECTA R. PHELPS, CLK. CIR. CT. BY DEPUTY

LIBER 048 PAGE 191 LIBER 041 PAGE 41

1268—3-75

DAVID A. CARNEY and KEVIN J. KELEHAN Substitute Trustees Plaintiffs vs. CARL E. NELSON and JERALDINE L. NELSON Defendants	* * * * * * * * *	IN THE CIRCUIT COURT FOR SOMERSET COUNTY IN EQUITY No. 10797 Chancery

LIBER 048 PAGE 192

* * * * * * *

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

This Report of Kevin J. Kelehan, Substitute Trustee, filed in these proceedings to foreclose upon a Deed of Trust from Carl E. Nelson and Jeraldine L. Nelson to Robert E. Voelkel, Jr., and Edward J. Murn, Trustees, securing an indebtedness to Mercantile Mortgage Corporation; David A. Carney and Kevin J. Kelehan having been appointed Substitute Trustees to make sale of the property therein mentioned in the event of default thereunder, respectfully shows:

That the said indebtedness, being in default, having given bond with surety which was duly approved, and having given the requisite notice of time, place, manner and terms of sale by advertisement in the Crisfield Times, a newspaper printed and published in Somerset County, State of Maryland, he did, pursuant to said notice of sale, attend in person at the Post Office Building, Main Street, Crisfield, Maryland, on Friday, February 29, 1980 at 2:30 p.m., the time and place mentioned in said advertisement, and then and there, in the presence of a number of persons, did proceed to sell at public sale the property mentioned in the said Deed of Trust, to wit:

> ALL that lot or parcel of land situate in Asbury Election District, Somerset County, lying and binding on the east side of Sackertown Road, surrounded by ditches separating the land herein described and conveyed from the land owned or formerly owned by Sherwood Webb (I.T.P. No. 295, Folio 747) and Wallace Dize (I.T.P. No. 275, Folio 505) on the north,

and the land owned or formerly owned by Theodore F. Dize (B.L.B. No. 176, folio 100) on the south, and being more particularly described as follows: Beginning for the same at a concrete monument placed on the north side of Sackertown Road at the extreme northwest corner of the aforesaid land of Theodore F. Dize and the extreme southwest corner of the land herein described, thence from said place of beginning, and by and with the north side of Sackertown Road, (1) North 33 degrees 52 minutes East a distance of 183.51 feet to an iron pipe placed in the center of the intersection of two ditches, thence by and with the center of a series of ditches the following courses and distances: (2) South 65 degrees 16 minutes 40 seconds East a distance of 202.70 feet to an intersection of ditches; (3) North 21 degrees 27 minutes 50 seconds East a distance of 223.43 feet to an iron pipe placed at the intersection of ditches; (4) thence South 68 degrees 17 minutes 40 seconds East a distance of 209.20 feet to an intersection of ditches; (5) South 17 degrees 17 minutes 20 seconds West a distance of 366.23 feet to an intersection of ditches; (6) North 71 degrees, 32 minutes West a distance of 478.22 feet to the first mentioned concrete monument and place of beginning, containing 2.753 acres, more or less, accurately laid down and described on a plat entitled "Plat of Property Surveyed for Carl E. Nelson and Jeraldine L. Nelson", dated November 14, 1977 (File No. S-1904), prepared by G. Oliver Morrell, Registered Surveyor, intended to be recorded among the Land Records of Somerset County, State of Maryland. The improvements thereon being known as 309 A. Calvary Road, Crisfield, Maryland 21817.

Said property being sold to Kenneth C. Weinreich, at and for the sum of Thirty One Thousand Dollars ($31,000.00) he being at that price then and there the highest bidder therefor.

The said purchaser has agreed to comply with the terms of sale. Affidavit of Auctioneer, Affidavit of Purchaser, Affidavit of Notice, Certificate of Publication and Report of Sale are filed herewith, all of which are respectfully submitted.

AND, AS IN DUTY BOUND, etc.

Kevin J. Kelehan
Substitute Trustee
8651 Baltimore National Pike
Ellicott City, Maryland 21043
461-2600

STATE OF MARYLAND, COUNTY OF HOWARD, to wit:

I HEREBY CERTIFY that on this 26th day of March, 1980, before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore County, personally appeared Kevin J. Kelehan, as aforesaid, and made oath in due form of law that the matters and facts stated in the foregoing Report of Sale are true, as therein set forth, and that the sale was fairly made.

AS WITNESS my hand and Notarial Seal.

PATRICIA M. JAWORSKI NOTARY PUBLIC BALTIMORE COUNTY, MD.

Notary Public

My Commission Expires: July 1, 1982

DAVID A. CARNEY and KEVIN J. KELEHAN Substitute Trustees	*	IN THE
	*	CIRCUIT COURT
Plaintiffs		FOR
	*	SOMERSET COUNTY
vs.		
	*	IN EQUITY
CARL E. NELSON and JERALDINE L. NELSON	*	No. 10797 Chancery
Defendants		

* * * * * * *

ORDER NISI

ORDERED, this 28th day of March, 1980, by the Circuit Court for Somerset County, sitting in Equity, that the sale of the property mentioned in these proceedings, made and reported by Kevin J. Kelehan, be ratified and confirmed unless cause to the contrary be shown on or before the 28th day of April, 1980, provided a copy of this order be inserted in some weekly newspaper published in Somerset County, once in each of three successive weeks before the 21st day of April, 1980.

The report states the amount of sale to be $31,000.00.

Theodore Phoebus
Clerk

CRISFIELD, MD. February 28, 80

Notice

THIS is to certify that the annexed _____ has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said _____ Notice _____ for 3 weeks beginning with the issue of February 7, 19 80 and ending February 21, 19 80.

William H. Martin Jr.
Publisher, THE CRISFIELD TIMES

By P.O. Box

LIBER 048 PAGE 196

Legal Notice
Donald A. Cornoy, Esquire
Substitute Trustee And
Kevin J. Kelehan, Esquire
Substitute Trustee

Trustees' Sale Of Valuable Real Estate

Under and by virtue of the power of sale contained in the Deed of Trust from Carl E. Nelson and Jeraldine L. Nelson, dated December 16, 1977 and recorded among the Land Records of Somerset County, Maryland in Liber 303, page 624, default having occurred thereunder the undersigned Substitute Trustees, named and appointed by such Deed of Appointment of Substitute Trustees, in this cause, which Deed is recorded among the Land Records of Somerset County, on January 25, 1980 in Liber 320, page 30 will sell at public auction, to the highest bidder at the Post Office Building, Main Street, Crisfield, Maryland 21817, on:

February 29, 1980
2:00 p.m.

All that tract of parcel of land situate, lying and being in the County of Somerset, State of Maryland and more particularly described as follows:

ALL that lot or parcel of land situate in Asbury Election District, Somerset County, Maryland, lying and binding on the east side of Sackertown Road, surrounded by ditches separating the land herein described and conveyed from the land owned or formerly owned by Sherwood Webb (I.T.P. No. 295, folio 747) and Wallace Dize (I.T.P. No. 275, Folio 505) on the north, and the land owned or formerly owned by Theodore F. Dize (B.L.B. No. 176, folio 100) on the south, and being more particularly described as follows:

Beginning for the same at a concrete monument placed on the north side of Sackertown Road at the extreme northwest corner of the aforesaid land of Theodore F. Dize and the extreme southwest corner of the land herein described, thence from said place of beginning, and by and with the north side of Sackertown Road, (1) North 33 degrees 52 minutes East a distance of 183.51 feet to an iron pipe placed in the center of the intersection of two ditches, thence by and with the center of a series of ditches the following courses and distances: (2) South 65 degrees 16 minutes 40 seconds East a distance of 202.70 feet to an intersec of ditches; (3) North degrees 27 minutes 50 seconds East a distance of 223.43 feet to an iron pipe placed at the intersection of ditches; (4) thence South 68 degrees 17 minutes 40 seconds East a distance of 209.20 feet to an intersection of ditches; (5) South 17 degrees 17 minutes 20 seconds West a distance of 300.23 feet to an intersection of ditches; (6) North 71 degrees 32 minutes West a distance of 478.22 feet to the first mentioned concrete monument and place of beginning, containing 2.753 acres, more or less, accurately laid down and described on a plat entitled "Plat of Property Surveyed for Carl E. Nelson and Jeraldine L. Nelson", dated November 14, 1977 (File No. S-1904), prepared by G. Oliver Morrell, Regis Surveyor, intended to recorded amont the Land Records of Somerset County, State of Maryland. The improvements thereon being known as 309 A. Calvary Road, Crisfield, Maryland 21817.

TERMS OF SALE: A deposit in the amount of ten percent (10%) of the purchase price will be required by purchaser at the time and place of sale. Balance will be payable in cash upon ratification of the sale by the Circuit Court for Somerset County in Equity and will bear interest from the date of settlement. Taxes and all other expenses to be adjusted to the date of sale. All conveyance costs, documentary stamps and transfer tax and all other costs to be borne entirely by the purchaser.

Kevin J. Kelehan
Substitute Trustee
8651 Baltimore National Pike
Ellicott City, Maryland 21043
William Daugherty
Auctioneer

2-7-3t

DAVID A. CARNEY and KEVIN J. KELEHAN Substitute Trustees Plaintiffs vs. CARL E. NELSON and JERALDINE L. NELSON Defendants	* * * *

LIBER 048 PAGE 198

DAVID A. CARNEY and KEVIN J. KELEHAN Substitute Trustees	*	IN THE CIRCUIT COURT FOR
Plaintiffs	*	SOMERSET COUNTY
vs.	*	IN EQUITY
CARL E. NELSON and JERALDINE L. NELSON	*	No. 10797 Chancery
Defendant		

* * * * * * *

AFFIDAVIT BY PURCHASER

STATE OF MARYLAND, COUNTY OF SOMERSET, to wit:

I HEREBY CERTIFY that, before me, the subscriber, a Notary Public of said State in and for the CITY of BALTIMORE, personally appeared KENNETH C. WEINREICH of Somerset County, Md and made oath in due form of law that he attended the public sale held herein of the property of 309 A Calvary Road, Crisfield, Maryland, which was held on February 29, 1980 at 2:30 p.m., pursuant to the terms of the said Deed of Trust, and that to the best of his information, knowledge and belief

(1) by bid made by himself the property was bought by himself

(2) that no others were interested in said sale as principals

(3) That he did not directly or indirectly discourage anyone from bidding on said property

Kenneth C. Weinreich
Purchaser

Subscribed and sworn to before me this 29 day FEBRUARY 1980.

KEVIN J. KELEHAN NOTARY PUBLIC BALTIMORE CITY, MD.

Notary Public

My CommissionExpires: July 1, 1982

DAVID A. CARNEY and KEVIN J. KELEHAN Substitute Trustees	*	IN THE
Plaintiffs	*	CIRCUIT COURT
	*	FOR
vs.		SOMERSET COUNTY
	*	IN EQUITY
CARL E. NELSON and JERALDINE L. NELSON		
	*	No. 10797 Chancery
Defendants		

* * * * * * *

AFFIDAVIT OF NOTICE

THIS IS TO CERTIFY that notice by certified mail of the time, place and terms of sale were sent to the mortgagors at their last known address within the time specified by Maryland Rules of Procedure W 742(c), as evidenced by the return receipt attached hereto.

Kevin J. Kelehan
Substitute Trustee
8651 Baltimore National Pike
Ellicott City, Maryland 21043
461-2600

Subscribed to and sworn to before me, a Notary Public of the State of Maryland, County of Baltimore, this 26th day of March, 1980.

Notary Public

PATRICIA M. JAWORSKI NOTARY PUBLIC BALTIMORE COUNTY, MD.

My Commission Expires: July 1, 1982

LIBER 048 PAGE 200

PS Form 3811, Aug. 1978

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).
- ☐ Show to whom and date delivered ..... ¢
- ☐ Show to whom, date, and address of delivery ..... ¢
- ☒ RESTRICTED DELIVERY
  Show to whom and date delivered ..... ¢
- ☐ RESTRICTED DELIVERY.
  Show to whom, date, and address of delivery. $____
  (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Carl E. Nelson
309 A Calvary Road
Crisfield, Md. 21817

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	835766	

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent

C E Nelson

4. DATE OF DELIVERY
2-22-80

5. ADDRESS (Complete only if requested)

FIELDSBORO MD
POSTMARK
FEB 22 1980

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

☆ GPO: 1979-279-382

David A. Carney
Kevin J. Kelehan
Substitute Trustees

Plaintiffs

vs

Carl E. Nelson and
Jeraldine L. Nelson

Defendants

IN THE CIRCUIT COURT

FOR SOMERSET COUNTY

STATE OF MARYLAND

IN EQUITY

NO. 10,797

MOTION TO EXTEND THE DATE OF SETTLEMENT

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Comes now your Petitioner, Kenneth C. Weinreich, the purchaser of valuable real estate in the above entitled action and respectfully represents to this Honorable Court as follows:

1. That David A. Carney and Kevin J. Kelehan, Substitute Trustees in a Deed of Trust from the above Defendants, Carl E. Nelson and Jeraldine L. Nelson, at public auction sold the property which was the subject of the aforegoing foreclosure action to your petitioner on February 29, 1980 in Crisfield Maryland.

2. That the terms and conditions of said sale required payment in full by your petitioner by April 29, 1980.

3. That your petitioner has been unable to get adequate financing during this time period and needs a time extension to secure adequate funding.

WHEREFORE, your Petitioner Prays, that this Honorable Court grant an Order extending the date of payment thirty days (30) from April 29, 1980 until May 29, 1980.

Kenneth C. Weinreich
Kenneth C. Weinreich

LIBER 048 PAGE 201

LIBER 048 PAGE 202

I hereby certify that on this 1st day of May, 1980, I mailed a copy of the aforegoing Motion to David A. Carney and Kevin J. Kelehan, whose address is 8651 Baltimore National Pike, Elliott City, Maryland 21043

Kenneth C. Weinreich
Kenneth C. Weinreich

O R D E R

It is hereby ordered this 1st day of May, 1980 that the date of payment in the above entitled action is extended thirty (30) days from April 29, 1980 until May 29, 1980.

R. D. Dorsey
Judge

DAVID A. CARNEY KEVIN J. KELEHAN	*	IN THE
	*	CIRCUIT COURT
Substitute Trustees	*	FOR SOMERSET COUNTY
Plaintiffs	*	STATE OF MARYLAND
vs.	*	IN EQUITY NO. 10,797
CARL E. NELSON and JERALDINE L. NELSON	*	
Defendants	*	
	*	

* * * * * * * * * * * * * * * * *

ANSWER TO MOTION TO EXTEND THE DATE OF SETTLEMENT

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Now come David A. Carney and Kevin J. Kelehan, Substitute Trustees for the benefit of the holder of the indebtedness in the above entitled action and respectfully represent to this Honorable Court as follows:

1. That they are holding the sum of Three Thousand One Hundred Dollars ($3,100.00) in their trust account payable by the purchaser and movant, Kenneth Weinrich.

2. That the terms of the sale required payment in full by the Petitioner by April 29, 1980, which payment time has been extended by this Honorable Court until May 29, 1980.

3. That the holder of the indebtedness will suffer substantial losses as a result of the delay and ultimate resale of the property which is the subject of these proceedings.

4. That in the event the movant is unable to obtain adequate financing so as to consummate settlement on or before May 29, 1980, this Court order that the down payment tendered by the movant be applied to all costs and expenses of reselling the property including reasonable interest on the mortgage debt and additional trust and attorneys commissions for such resale.

David A. Carney (SEAL)
David A. Carney, Substitute Trustee

(SEAL)
Kevin J. Kelehan, Substitute Trustee

LIBER 048 PAGE 204

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5 day of May, 1980, I mailed a copy of the foregoing Answer to Motion to Extend the Date of Settlement to Kenneth C. Weinreich, Esquire, P.O. BOX 693, Cristfield, Maryland.

Kevin J. Kelehan

FILED

MAY 6 8 55 AM

DAVID A. CARNEY KEVIN J. KELEHAN Substitute Trustees	*	IN THE
	*	CIRCUIT COURT
Plaintiffs	*	FOR SOMERSET COUNTY
vs.	*	STATE OF MARYLAND
CARL E. NELSON and JERALDINE L. NELSON	*	IN EQUITY NO. 10,797
	*	
Defendants	*	

* * * * * * * * * * * *

ORDER

Having read the Motion to Extend the Date of Settlement filed by Kenneth Weinreich, the purchaser in the above action and having considered the Answer of the Trustees to such Motion, it is this 16 day of May, 1980, ORDERED that the movant pay all costs and expenses incident to the resale of the property which is the subject matter of this Petition unless he can consummate both settlements together with all costs and expenses of the sale as required by the advertisement by May 29, 1980.

R. D. Lowry

Judge

FILED

MAY 8 0

LIBER 048 PAGE 205

DAVID A. CARNEY and
KEVIN J. KELEHAN
Substitute Trustees

Plaintiffs

vs.

CARL E. NELSON and
JERALDINE L. NELSON

Defendants

* * * * * * *

IN THE

CIRCUIT COURT

FOR

SOMERSET COUNTY

IN EQUITY

LIBER 048 PAGE 206

No. 10,797

* * * * * * *

CERTIFICATE OF PUBLICATION

David A. Carney and
Kevin J. Kelehan
Substitute Trustees
Plaintiffs
vs.
Carl E. Nelson and
Jeraldine L. Nelson
Defendants
0-0-0-0
In The Circuit Court
For Somerset County
In Equity

No. 10797 Chancery

ORDER NISI

ORDERED, this 28th day of March, 1980, by the Circuit Court for Somerset County, sitting in Equity, that the sale of the property mentioned in these proceedings, made and reported by Kevin J. Kelehan, be ratified and confirmed unless cause to the contrary be shown on or before the 28th day of April, 1980, provided

I. Theodore Phoebus
Clerk

True Copy, Test:
I. Theodore Phoebus, Clerk
4-3-3t

CRISFIELD, MD. May 9, 1980

THIS is to certify that the annexed Order Nisi has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order Nisi for 3 weeks beginning with the issue of April 3, 1980 and ending April 17, 1980.

William A. Martin Jr.
Publisher, THE CRISFIELD TIMES

By S.C. Pyfer

FILED

MAY 12 8 32

DAVID A. CARNEY and KEVIN J. KELEHAN Substitute Trustees Plaintiffs vs. CARL E. NELSON and JERALDINE L. NELSON Defendants	*	IN THE CIRCUIT COURT FOR SOMERSET COUNTY IN EQUITY No. 10,797

* * * * * * *

O R D E R

The Court, having passed an Order requiring the property to be re-sold on or after the 29th day of May, 1980, pursuant to an extension request in proper person by Kenneth C. Weinreich, purchaser, and settlement not having been consummated on or before that date, it is this 4th day of JUNE, 1980, by the Circuit Court for Somerset County in Equity

ORDERED that the Substitute Trustees, David A. Carney and Kevin J. Kelehan, advertise for re-sale the property which is the subject matter of these proceedings in accordance with Maryland Rules W and BR.

Leonard L. Griffin
Judge

LIBER 048 PAGE 208

DAVID A. CARNEY and KEVIN J. KELEHAN Substitute Trustees	*	IN THE
	*	CIRCUIT COURT
Plaintiff	*	FOR
		SOMERSET COUNTY
vs.	*	
CARL E. NELSON and JERLADINE L. NELSON		IN EQUITY
	*	
Defendants		No. 10797 Chancery

* * * * * * *

NOTICE OF RE-SALE OF PROPERTY

TO: Kenneth Weinreich
Post Office Box 693
Crisfield, Maryland

You are hereby notified that pursuant to the Order of the Circuit Court for Somerset County in Equity authorizing the Trustees to re-sell the Property above described and pursuant to the legal advertisement inserted in a paper of general circulation in Somerset County, the property covered by the Deed of Trust will be sold on Friday, July 11, 1980 at 3:00 p.m., at the Post Office Building, Main Street, Crisfield, Maryland 21817.

The terms of sale are as follows:

A deposit in the amount of ten percent (10%) of the purchase price will be required by purchaser at the time and place of sale. Balance will be payable in cash upon ratification of the sale by the Circuit Court for Somerset County in Equity and will bear interest from the date of settlement. Taxes and all other expenses to be adjusted to the date of sale. All conveyance costs, documentary stamps and transfer tax and all other costs to be borne entirely by the purchaser.

William Daugherty
Auctioneer

Kevin J. Kelehan, Substitute Trustee
8651 Baltimore National Pike
Ellicott City, Maryland 21043
461-2600

DAVID A. CARNEY and KEVIN J. KELEHAN Substitute Trustees	*	IN THE
	*	CIRCUIT COURT
Plaintiff	*	FOR
vs.		SOMERSET COUNTY
	*	
CARL E. NELSON and JERLADINE L. NELSON		IN EQUITY
	*	
Defendants		No. 10797 Chancery

* * * * * * *

NOTICE OF RE-SALE OF PROPERTY

TO: Carl E. Nelson
309 A Calvary Road
Crisfield, Maryland 21817

You are hereby notified that pursuant to the Order of the Circuit Court for Somerset County in Equity authorizing the Trustees to re-sell the Property above described and pursuant to the legal advertisement inserted in a paper of general circulation in Somerset County, the property covered by the Deed of Trust will be sold on Friday, July 11, 1980 at 3:00 p.m., at the Post Office Building, Main Street, Crisfield, Maryland 21817.

The terms of sale are as follows:

A deposit in the amount of ten percent (10%) of the purchase price will be required by purchaser at the time and place of sale. Balance will be payable in cash upon ratification of the sale by the Circuit Court for Somerset County in Equity and will bear interest from the date of settlement. Taxes and all other expenses to be adjusted to the date of sale. All conveyance costs, documentary stamps and transfer tax and all other costs to be borne entirely by the purchaser.

William Daugherty
Auctioneer

Kevin J. Kelehan, Substitute Trustee
8651 Baltimore National Pike
Ellicott City, Maryland 21043
461-2600

DAVID A. CARNEY and KEVIN J. KELEHAN Substitute Trustees	*	IN THE
	*	CIRCUIT COURT LIBER 048 PAGE 210
Plaintiff	*	FOR
vs.	*	SOMERSET COUNTY
CARL E. NELSON and JERLADINE L. NELSON	*	IN EQUITY
Defendants	*	No. 10797 Chancery

* * * * * * *

NOTICE OF RE-SALE OF PROPERTY

TO: Jeraldine L. Nelson
309 A Calvary Road
Crisfield, Maryland 21817

You are hereby notified that pursuant to the Order of the Circuit Court for Somerset County in Equity authorizing the Trustees to re-sell the Property above described and pursuant to the legal advertisement inserted in a paper of general circulation in Somerset County, the property covered by the Deed of Trust will be sold on Friday, July 11, 1980 at 3:00 p.m., at the Post Office Building, Main Street, Crisfield, Maryland 21817.

The terms of sale are as follows:

A deposit in the amount of ten percent (10%) of the purchase price will be required by purchaser at the time and place of sale. Balance will be payable in cash upon ratification of the sale by the Circuit Court for Somerset County in Equity and will bear interest from the date of settlement. Taxes and all other expenses to be adjusted to the date of sale. All conveyance costs, documentary stamps and transfer tax and all other costs to be borne entirely by the purchaser.

William Daugherty
Auctioneer

Kevin J. Kelehan, Substitute Trustee
8651 Baltimore National Pike
Ellicott City, Maryland 21043
461-2600

KEVIN J. KELEHAN and R. SCOTT DAVIS Substitute Trustees	*	IN THE
	*	CIRCUIT COURT
Plaintiffs	*	FOR
v.	*	SOMERSET COUNTY
CARL A. NELSON and JERALDINE L. NELSON	*	IN EQUITY
	*	No. 10797 Chancery
Defendants	*	

* * * * * * * * * * * * * * *

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

This Report of R. Scott Davis, Substitute Trustee, filed in these proceedings to foreclose upon a Deed of Trust from Carl E. Nelson and Jeraldine L. Nelson to Robert E. Voelkel, Jr., and Edward J. Murn, Trustees, securing an indebtedness to Mercantile Mortgage Corporation; Kevin J. Kelehan and R. Scott Davis having been appointed Substitute Trustees to make sale of the property therein mentioned in the event of default thereunder, respectfully shows:

That the said indebtedness, being in default, having given bond with surety which was duly approved, and having given the requisite notice of time, place, manner and terms of sale by advertisement in the Crisfield Times, a newspaper printed and published in Somerset County, State of Maryland, he did, pursuant to said notice of sale, attend in person at the Post Office Building, Main Street, Crisfield, Maryland, in Friday, July 11, 1980 at 3:00 p.m., the time and place mentioned in said advertisement, and then and there, in the presence of a number of persons, did proceed to sell at public sale the property mentioned in the said Deed of Trust, to wit:

> ALL that lot or parcel of land situate in Asbury Election District, Somerset County, lying and binding on the east side of Sackertown Road, surrounded by ditches separating the land herein described and conveyed from the land owned or formerly owned by Sherwood Webb (I.T.P. No. 295, Folio 747) and Wallace Dize (I.T.P. No. 275, Folio 505) on the north, and the land owned or formerly owned by

Theodore F. Dize (B.L.B. No. 176, Folio 100) on the south, and being more particularly described as follows: Beginning for the same at a concrete monument placed on the north side of Sacketown Road at the extreme northwest corner of the aforesaid land of Theodore F. Dize and the extreme southwest corner of the land herein described, thence from said place of beginning, and by and with the north side of Sachertown Road, (1) North 33 degrees 52 minutes East a distance of 183.51 feet to an iron pipe placed in the center of the intersection of two ditches, thence by and with the center of a series of ditches the following course and distances: (2) South 65 degrees 16 minutes 40 seconds East a distance of 202.70 feet to an intersection of ditches; (3) North 21 degrees 27 minutes 50 seconds East a distance of 223.43 feet to an iron pipe placed at the intersection of ditches; (4) thence South 68 degrees 17 minutes 40 seconds East a distance of 209.20 feet to an intersection of ditches; (5) South 17 degrees 17 minutes 20 second West a distance of 366.23 feet to an intersection of ditches; (6) North 71 degrees, 32 minutes West a didtance of 478.22 feet to the first mentioned concrete monument and place of beginning, containing 2.753 acres, more or less, accurately laid down and described on a plat entitled "Plat of Property Surveyed for Carl E. Nelson and Jeraldine L. Nelson", dated November 14, 1977 (File No. S-1904), prepared by G. Oliver Morrell, Registered Surveyor, intended to be recorded among the Land Records of Somerset County, State of Maryland. The improvements thereon being known as 309 A. Calvary Road, Crisfield, Maryland 21817.

Said property being sold to Kenneth Weinreich at and for the sum of Thirty Thousand Five Hundred and One Dollar ($30,501.00) he being at that price then and there the highest bidder therefor.

The said purchaser has agreed to comply with the terms of sale. Affidavit of Auctioneer, Affidavit or Purchaser, Affidavit of Notice, Certificate of Publication and Report of Sale are filed herewith, all of which are respectfully submitted.

AND, AS IN DUTY BOUND, etc.

R. Scott Davis
Substitute Trustee
8651 Baltimore National Pike
Ellicott City, Maryland 21043
461-2600

Kevin J. Kelehan and R. Scott Davis, Substitute Trustees, for the purpose of Foreclosure and Collection under power obtained in a mortgage from Carl A. Nelson and Jeraldine L. Nelson, his wife and then by assignment to R.Scott Davis and Kevin J. Kelehan for Foreclosure and collection	No. 10,~~806~~ 791 Chancery In the Circuit Court For Somerset County State of Maryland

O R D E R N I S I

ORDERED, that the sale of the property mentioned in these proceedings and the distribution of the proceeds thereof be ratified and confirmed unless cause to the contrary thereof be shown on or before the 15th day of August, 1980, provided a copy of this Order be inserted in some weekly newspaper printed in Somerset County, once in each of three successive weeks before the 4th day of August, 1980

The report states the amount of sale being Thirty Thousand Five Hundred and One Dollars ($30,501.00).

Dated: July 15, 1980

I. Theodore Phoebus

I. Theodore Phoebus, Clerk

LIBER 048 PAGE 214

KEVIN J. KELEHAN and R. SCOTT DAVIS Substitute Trustees	*	IN THE
	*	CIRCUIT COURT
Plaintiffs	*	FOR
v.	*	SOMERSET COUNTY
CARL E. NELSON and JERALDINE L. NELSON	*	IN EQUITY
	*	NO. 10797 Chancery
Defendants		

* * * * * * *

AUCTIONEER'S AFFIDAVIT

I HEREBY CERTIFY that at the request of the Trustees appointed in the captioned proceedings that I offered the property described in the annexed advertisement of sale at public auction at the Post Office Building, Main Street, Crisfield, Maryland 21817, Somerset County, Maryland, on Friday, July 11, 1980, at 10:00 A.M. and sold same to Kenneth Weinreich at and for the sum of Thirty Thousand Five Hundred and One Dollars-----, said buyer being at that price the highest bidder therefor, and I have not paid and will not pay, directly or indirectly, any sum or consideration for employing me or for aiding to employ me to make such sale.

William Daugherty, Auctioneer

Subscribed to and sworn to before me this 28th day of July, 1980.

Kristel A. Costis
Notary Public

My Commission Expires:
July 1, 1982

FILED

KEVIN J. KELEHAN and R. SCOTT DAVIS Substitute Trustees Plaintiffs vs. CARL A. NELSON and JERALDINE L. NELSON Defendants	* * * * * * * * *	IN THE CIRCUIT COURT FOR SOMERSET COUNTY IN EQUITY No. 10797 Chancery

* * * * * * *

AFFIDAVIT BY PURCHASER

STATE OF MARYLAND, COUNTY OF SOMERSET, to wit:

I HEREBY CERTIFY that, before me, the subscriber, a Notary Public of said State in and for the County of Somerset , perssonally appeared Kenneth Weinreich, of Somerset County, State of Maryland and made oath in due form of law that he attended the public sale held herein of the property of 309 A. Calvary Road, Crisfield, Maryland, which was held on Friday, July 11, 1980 at 3:00 p.m., pursuant to the terms of the said Deed of Trust, and that to the best of his information, knowledge and belief

(1) by bid made by Kenneth Weinreich the property was bought by Kenneth Weinreich

(2) That no others were interested in said sale as principals

(3) That Kenneth Weinreich did not directly or indirectly discourage anyone from bidding on said property

Kenneth Weinreich
Purchaser
Kenneth Weinreich

Subscribed and sworn to before me this 23rd day of July 1980.

Kristal A. Custis
Notary Public

My Commission Expires: July 1, 1982

LIBER 048 PAGE 215

LIBER 048 PAGE 216

KEVIN J. KELEHAN and R. SCOTT DAVIS Substitute Trustees	*	IN THE
	*	CIRCUIT COURT
Plaintiffs	*	FOR
		SOMERSET COUNTY
vs.	*	IN EQUITY
CARL E. NELSON and JERALDINE L. NELSON	*	No. 10797 Chancery
Defendants		

* * * * * * *

CERTIFICATE OF PUBLICATION

CRISFIELD, MD. July 11, 1980

THIS is to certify that the annexed Notice has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Notice for 3 weeks beginning with the issue of June 26, 1980 and ending July 10, 1980.

William A. Martin Jr.
Publisher, THE CRISFIELD TIMES

separating the land herein described and conveyed from the land owned or formerly owned by Sherwood Webb (I.T.P. No. 295, folio 747) and Wallace Dize (I.T.P. No. 275, folio 505) on the north, and the land owned or formerly owned by Theodore F. Dize (B.L.B. No. 176, folio 100) on the south, and being more particularly described as follows: Beginning for the same at a concrete monument placed on the north side of Sackertown Road at the extreme northwest corner of the aforesaid land of Theodore F. Dize and the extreme southwest corner of the land herein described, thence from said place of beginning, and by and with the north side of Sackertown Road, (1) North 33 degrees 52 minutes East a distance of 183.51 feet to an iron pipe placed in the center of the intersection of two ditches, thence by and with the center of a series of ditches the following courses and distances: (2) South 65 degrees 16 minutes 40 seconds East a distance of 202.70 feet to an intersection of ditches; (3) North 21 degrees 27 minutes 50 seconds East a distance of 223.43 feet to an iron pipe placed at the intersection of ditches; (4) thence South 68 degrees 17 minutes 40 seconds East a distance of 209.20 feet to an intersection of ditches; (5) South 17 degrees 17 minutes 20 seconds West a distance of 366.23 feet to an intersection of ditches; (6) North 71 degrees 32 minutes West a distance of 478.22 feet to the first mentioned concrete monument and place of beginning, containing 2.753 acres, more or less, accurately laid down and described on a plat entitled "Plat of Property Surveyed for Carl E. Nelson and Jeraldine L. Nelson," dated November 14, 1977 (File No. S-1904), prepared by G. Oliver Morrell, Registered Surveyor, intended to be recorded among the Land Records of Somerset County, State of Maryland. The improvements thereon being known as 309 A. Calvary Road, Crisfield, Maryland 21817.

TERMS OF SALE: A deposit in the amount of ten percent (10%) of the purchase price will be required by purchaser at the time and place of sale. Balance will be payable in cash upon ratification of the sale by the Circuit Court for Somerset County in Equity and will bear interest from the date of settlement. Taxes and all other expenses to be adjusted to the date of sale. All conveyance costs, documentary stamps and transfer tax and all other costs to be borne entirely by the purchaser.

Kevin J. Kelehan
Substitute Trustee
8651 Baltimore National Pike
Ellicott City, Maryland 21043
William Daugherty
Auctioneer

6-26-3t

LEGAL NOTICE
David A. Carney, Esquire
Substitute Trustee
and
Kevin J. Kelehan, Esquire
Substitute Trustee

Trustee's Sale
Of Valuable Real Estate

Under and by virtue of the power of sale contained in the Deed of Trust from Carl E. Nelson and Jeraldine L. Nelson, dated December 16, 1977 and recorded among the Land Records of Somerset County, Maryland in Liber 304, page 624, default having occurred thereunder and the purchaser in Equity Case No. 10797 filed among the Circuit Court Records of Somerset County, having defaulted in settlement according to the terms of the original advertisement and sale held on February 29, 1980, at the Post Office Building, Main Street, Crisfield, Maryland 21817, and the Circuit Court for Somerset County having passed an Order requiring the Substitute Trustees to resell the real estate contained in the said Deed of Trust the undersigned Substitute Trustees, named and appointed by such Deed of Appointment of Substitute Trustees, in this cause, which Deed is recorded among the Land Records of Somerset County, on January 25, 1980 in Liber 320, page 30, will sell at public auction, to the highest bidder at the Post Office Building, Main Street, Crisfield, Maryland 21817, on:

FRIDAY, JULY 11, 1980
at or about
Three O'Clock P.M.

all that tract or parcel of land situate, lying and being in the County of Somerset, State of Maryland and more particularly described as follows:

ALL that lot or parcel of land situate in Asbury Election District, Somerset County, Maryland, lying and binding on the east side of Sackertown Road, surrounded by ditches

KEVIN J. KELEHAN and R. SCOTT DAVIS Substitute Trustees Plaintiffs	*	IN THE CIRCUIT COURT FOR SOMERSET COUNTY IN EQUITY
vs.		
CARL E. NELSON and JERALDINE L. NELSON Defendants	*	No. 10797 Chancery

* * * * * * *

AFFIDAVIT OF NOTICE

THIS IS TO CERTIFY that notice by registered mail of the time, place and terms of re-sale were sent to the mortgagors and to the prior contract purchaser at their last known addresses within the time specified by Maryland Rules of Procedure W 742(c), as evidenced by the return receipts attached hereto.

Kevin J. Kelehan,
Substitute Trustee
8651 Baltimore National Pike
Ellicott City, Maryland 21043
461-2600

Subscribed to and sworn to before me, a Notary Public of the State of Maryland, County of Baltimore, this 5th day of August, 1980.

Notary Public

My Commission Expires: July 1, 1982

PATRICIA M. JAWORSKI NOTARY PUBLIC BALTIMORE COUNTY, MD.

PS Form 3811, Jan. 1979

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)
   - ☐ Show to whom and date delivered.....—¢
   - ☐ Show to whom, date and address of delivery.....—¢
   - ☒ RESTRICTED DELIVERY
     Show to whom and date delivered.....—¢
   - ☐ RESTRICTED DELIVERY.
     Show to whom, date, and address of delivery.$____

   (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
   Kenneth Weinreich
   P. O. Box 693
   Crisfield, Maryland

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	508553	

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐Addressee ☐Authorized agent
Kenneth Weinreich

4. DATE OF DELIVERY: 7-3-80

POSTMARK: JUL 3 1980

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

☆GPO : 1979-288-848

PS Form 3811, Jan. 1979

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)
   - ☐ Show to whom and date delivered.....—¢
   - ☐ Show to whom, date and address of delivery.....—¢
   - ☒ RESTRICTED DELIVERY
     Show to whom and date delivered.....—¢
   - ☐ RESTRICTED DELIVERY.
     Show to whom, date, and address of delivery.$____

   (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
   Carl E. Nelson
   309 A Calvary Road
   Crisfield, Md. 21817

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	508555	

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐Addressee ☐Authorized agent

4. DATE OF DELIVERY

POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

☆GPO : 1979-288-848

PS Form 3811, Jan. 1979

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)
   - ☐ Show to whom and date delivered.....—¢
   - ☐ Show to whom, date and address of delivery.....—¢
   - ☒ RESTRICTED DELIVERY
     Show to whom and date delivered.....—¢
   - ☐ RESTRICTED DELIVERY.
     Show to whom, date, and address of delivery.$____

   (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
   Jeraldine L. Nelson
   309 A Calvary Road
   Crisfield, Md. 21817

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	508554	

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐Addressee ☐Authorized agent

4. DATE OF DELIVERY

POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

☒ Moved, left no address

☐ No such number

☐ Addressee unknown

☆GPO : 1979-288-848

JUL 5 1980

JUL 7 1980

1980 JUL 8 AM 10:48

Kevin J. Kelehan and R. Scott Davis, Substitute Trustees, for the purpose of Foreclosure and Collection under power obtained in a mortgage from Carl A. Nelson and Jeraldine L. Nelson, his wife, and then by assignment to R. Scott Davis and Kevin J. Kelehan for Foreclosure and Collection.

No. 10,797 Chancery
In the Circuit Court for Somerset County, State of Maryland

Order Nisi

ORDERED, that the sale of the property mentioned in these proceedings and the distribution of the proceeds thereof be ratified and confirmed unless cause to the contrary thereof be shown on or before the 15th day of August, 1980, provided a copy of this Order be inserted in some weekly newspaper printed in Somerset County, once in each of three successive weeks before the 4th day of August, 1980.

The report states the amount of sale being Thirty Thousand Five Hundred and One Dollars ($30,501.00).

I. Theodore Phoebus
Clerk

Dated: July 15, 1980. 7-17-31

CRISFIELD, MD. August 7, 1980

THIS is to certify that the annexed Order Nisi has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order Nisi for 3 weeks beginning with the issue of July 17, 1980 and ending July 31, 1980.

William A. Martin Jr.
Publisher, THE CRISFIELD TIMES

LIBER 048 PAGE 219

LIBER 048 PAGE 220

KEVIN J. KELEHAN and R. SCOTT DAVIS Substitute Trustees Plaintiffs vs. CARL E. NELSON and JERALDINE L. NELSON Defendants	* * * * * * * * * * *	IN THE CIRCUIT COURT FOR SOMERSET COUNTY IN EQUITY No. 10797 Chancery

* * * * * * *

ORDER

ORDERED by the Circuit Court for Somerset County, in Equity, this 26 day of Sept 1980, that the sale, made and reported by the aforesaid, be, and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown, although due notice appears to have been given as required by the Order Nisi passed in said cause; and the Trustees allowed the usual commissions and such proper expenses as he shall produce vouchers for to the Auditor.

R. L. Dorsey
Judge

FILED

Sep 26 1 29 PM '80

KEVIN J. KELEHAN and R. SCOTT DAVIS Substitute Trustees Plaintiffs	* *	IN THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND
VS.	*	IN EQUITY
CARL E. NELSON and JERALDINE L. NELSON Defendants	* *	NO. 10,797 CHANCERY

FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this court, reports that he has made an examination of the proceedings in the above entitled cause and from them and the list of expenses furnished him therein, states the following Account:

FIRST SALE

Amount of Sale			$ 31,000.00
Interest on balance of purchase price to April 29, 1980 (Date of First Ratification) at 8 1/2%			389.84
			$ 31,389.84

Fees, Costs and Expenses:

I. Theodore Phoebus, Clerk		$ 128.50	
Crisfield Times		121.90	
Sale Advertising	$ 100.70		
Order Nisi	121.90		
Philip W. Tawes Insurance, Bond		99.00	
William B. Daugherty, Auctioneer		50.00	
David A. Carney and Kevin J. Kelehan, Trustees Commission		250.00	
*Logan C. Widdowson, Auditor		40.00	
Postage, Certified Mail		8.80	
Carlos Bozman, Treasurer 1980-81 State and County Real Estate Taxes (.5759/day x 243 days)		139.95	
Wade D. Ward, Bring-to-date		75.00	
Photocopies, Long Distant Calls, Etc.		17.40	
Total Expenses			930.55
Balance			$ 30,459.29
Mortgage Debt: Principal		$ 30,166.89	
Late Charges		19.84	
Interest to 1/1/80		1,492.63	
Total		$ 31,679.36	
Less Escrow		268.00	
Total		$ 31,411.36	
Interest on $30,166.89 at 8 1/2% from 1/2/80 to 4/29/80		828.97	
Total Mortgage to First Ratification			32,240.33
Deficit (Nelson) had sale been consummated.			$ 1,781.04

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

SECOND SALE

LIBER 048 PAGE 222

Amount of Sale: $30,501.00

Deposit held by Trustees in Escrow to be applied to expenses incident to Second Sale		$ 3,100.00

Fees, Costs and Expenses:

I. Theodore Phoebus, Clerk		$ 60.50	
Crisfield Times		171.95	
Sale Advertising	$ 142.80		
Order Nisi	29.15		
R. Scott Davis, Trustees Commission		305.01	
*Logan C. Widdowson, Auditor		40.00	
Postage, Certified Mail		8.00	
I. Theodore Phoebus, Clerk		5.00	
Carlos Bozman, Treasurer 1980-81 State and County Real Estate Taxes (.5759/day x 133 days)		76.60	
Auctioneer's Fee		50.00	
Subtotal of Fees, Costs and Expenses	$ 717.06		
Your Auditor feels that Kenneth Weinrich is responsible for the following additional expenses to be applied to the Mortgage Debt:			
Interest on Balance of Purchase Price from First Sale Audit	$ 389.84		
Interest on Balance of Purchase Price from date of first ratification to date of settlement: $27,900.00 x 8 1/2% x 72 days = $ 467.80; $27,450.00 x 8 1/2% x 35 days = $ 338.44		806.24	
Difference of first sale price from second sale price		499.00	
Total Fees, Costs and Expenses			2,412.14
Balance			$ 687.86
Additional Mortgage Debt: Interest from date of first ratification to date of final ratification			758.72
Deficit (Weinreich)			$ 70.86

*Total Auditor's Fee is $80.00, one-half of which has been charged to each sale.

SUMMARY

TOTAL FUNDS RECEIVED:	Sale Price from Second Sale		$ 30,501.00
	Deposit from First Sale		3,100.00
	Total		$ 33,601.00
TOTAL FEES, COSTS & EXPENSES:	First Sale	$ 930.55	
	Second Sale	717.06	
	Total		1,647.61
Balance			$ 31,953.39

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

Balance (brought forward)			$ 31,953.39
TOTAL MORTGAGE DEBT:	From First Sale Audit	$ 32,240.33	
	From Second Sale Audit	758.72	
	Total		32,999.05
TOTAL DEFICIT:	First Sale	$ 1,781.04	
	Second Sale	70.86	
		$ 1,851.90	
	Less Additional Interest on Balance of Purchase Price	806.24	
	Total	$ 1,045.66	$ 1,045.66

ALL EXCEPTIONS to said report must be filed within fifteen (15) days of the date of filing; if no exceptions are filed, the Account may be ratified.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing on the date of the filing of the Audit notice of this report to the following parties by regular U. S. Mail, postage prepaid:

Mr. Carl E. Nelson
309 A Calvary Road
Crisfield, Maryland 21817

Mrs. Jeraldine L. Nelson
309 A Calvary Road
Crisfield, Maryland 21817

Mr. Kenneth Weinreich
P.O. Box 693
Crisfield, Maryland 21817

Kevin J. Kelehan, Esquire
Reese and Carney
8651 Baltimore National Pike
Ellicott City, Maryland 21043

R. Scott Davis, Esquire
946 West Main Street
Crisfield, Maryland 21817

Date of Filing: May 8, 1981

Logan C. Widdowson, Auditor

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-2100

LIBER 048 PAGE 223

LIBER 048 PAGE 224

No. 10,797 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 8th day of May, 19 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the 25th day of May, 19 81.

L. Theodore Phoebus
CLERK

No exceptions having been filed, and no cause to the contrary having been shown, IT IS ORDERED by the Circuit Court for Somerset County, in Equity, this 14th day of September, 19 81 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

L. Theodore Phoebus
CLERK

KEVIN J. KELEHAN and R. SCOTT DAVIS Substitute Trustees Plaintiffs	*	IN THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND
VS.	*	IN EQUITY
CARL E. NELSON and JERALDINE L. NELSON Defendants	*	NO. 10,797 CHANCERY

EXCEPTIONS TO FIRST AND FINAL AUDITOR'S REPORT

I, Kenneth C. Weinreich, P.O. Box 693, Crisfield, Maryland 21817, do hereby file exceptions to the account in the above entitled cause. I further request the Court to take appropiate action in order that the Exceptions may be heard and the Auditor's Report rectified and subsequently, thereafter ratified.

Date of Filing: May 21, 1981

Kenneth C. Weinreich

Kenneth C. Weinreich

CC: Logan C. Widdowson

LIBER 048 PAGE 225

O

O: Carl E. Nelson
Jeraldine L. Nelson
309 A. Calvary Road
Crisfield, MD 21817

OFFICE OF

Clerk of the Circuit Court

FOR SOMERSET COUNTY

I. THEODORE PHOEBUS, CLERK

PRINCESS ANNE, MD. July 23, 1981 LIBER 048 PAGE 226

TO: Mr. Kenneth Weinreich
P.O. Box 693
Crisfield, MD 21817

Kevin J. Kelehan, Esq.
Reese and Carney
8651 Baltimore Nat'l Pike
Ellicott City, MD 21043

R. Scott Davis, Esq.
946 W. Main St.
Crisfield, MD 21817

RE: No. 10,797 Chancery Case - Kevin J. Kelehan, et al Sub. Trs. v. Carl E. Nelson, et al

The above case has been *scheduled* as follows:

HEARING ON EXCEPTIONS TO FIRST AND FINAL AUDITOR'S REPORT, on Monday, August 24, 1981, at 1:30 P.M.

The *Court* has directed me to inform *Counsel* that unless application for postponement of the *Trial* or *Hearing* is made within *five (5)* days after receipt of this notice or an emergency has occurred thereafter, the aforementioned *trial* or *hearing* will be held as scheduled.

Requests for postponements and suggested new date *must* be in writing with copies to all attorneys.

Attention is called to the fact that lack of *notice* is no *excuse* for postponing a *trial or hearing*. It is the duty of the individual attorneys to keep check on their cases.

Counsel will file with the *Clerk* orders for *summonses* of *witnesses* at least *seven* days prior to the date of *trial*.

Please confirm this date by *filling* in the form below and returning it to this office.

Very truly yours,

(Mrs.) Alice C. Webster
Assignment Clerk

RE: No. 10,797 Chy - Kelehan, Sub., Tr., et al v. Nelson, et al

Mon., Aug. 24, 1981, at 1:30 P.M.

Receipt of *trial* date is hereby acknowledged for the date of _____

DATE _____ ATTORNEY _____

TO: Carl E. Nelson
Jeraldine L. Nelson
309 A. Calvary Road
Crisfield, MD 21817

OFFICE OF

Clerk of the Circuit Court

FOR SOMERSET COUNTY

I. THEODORE PHOEBUS, CLERK

PRINCESS ANNE, MD. July 23, 1981

TO: Mr. Kenneth Weinreich
P.O. Box 693
Crisfield, MD 21817

Kevin J. Kelehan, Esq.
Reese and Carney
8651 Baltimore Nat'l Pike
Ellicott City, MD 21043

R. Scott Davis, Esq.
946 W. Main St.
Crisfield, MD 21817

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Requests for postponements and suggested new date *must* be in writing with copies to all attorneys.

Attention is called to the fact that lack of *notice* is no *excuse* for postponing a *trial or hearing*. It is the duty of the individual attorneys to keep check on their cases.

Counsel will file with the *Clerk* orders for *summonses* of *witnesses* at least *seven* days prior to the date of *trial*.

Please confirm this date by *filling* in the form below and returning it to this office.

Very truly yours,

(Mrs.) Alice C. Webster
Assignment Clerk

RE: No. 10,797 Chy - Kelehan, Sub., Tr., et al v. Nelson, et al

Mon., Aug. 24, 1981, at 1:30 P.M.

Receipt of *trial* date is hereby acknowledged for the date of _____

DATE _____ ATTORNEY _____

LIBER 048 PAGE 227

I. THEODORE PHOEBUS
CLERK OF THE CIRCUIT COURT
FOR SOMERSET COUNTY
PRINCESS ANNE, MD. 21853

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED - UNABLE TO FORWARD

☑ Moved, left no address
☐ No such number
☐ Moved, not forwardable
☐ Addressee unknown

PRINCESS ANNE MD JUL 23 '81
U.S. POSTAGE .18

Mrs. Jeraldine L. Nelson
309 A Calvary Road
~~Crisfield, Maryland~~ 21817

~~Sunset Cove Apartments~~
~~Crisfield, MD. 21817~~

KEVIN J. KELEHAN, et al
Substitute Trustee

vs.

CARL E. NELSON, et al

IN THE CIRCUIT COURT

FOR SOMERSET COUNTY

STATE OF MARYLAND

CHANCERY CASE NO. 10,797

MOTION FOR POSTPONEMENT

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of R. Scott Davis, one of the Substitute Trustees in the above proceedings, respectfully represents as follows:

(1) That a "Hearing On Exceptions To First And Final Auditor's Report" has been scheduled by the Clerk of the Court for Somerset County, State of Maryland; on Monday, August 24, 1981 at 1:30 p.m. and

(2) That your Petitioner, R. Scott Davis has a conflict in scheduling on that date; and

(3) That this Court, may pursuant to Md Rule of Procedure 527 a. 1., grant a postponement in a proceeding.

WHEREFORE, your Petitioner prays that this Honorable Court grant a postponement in said proceedings until some date in September.

R. Scott Davis, Substitute
Trustee

CERTIFICATION OF SERVICE

I HEREBY CERTIFY that I mailed a copy of the aforegoing Motion For Postponement by U.S. Regular Mail on the 29th day of July, 1981 to the following: Mr. Carl E. Nelson of 309 A Calvary Road, Crisfield Maryland 21817: Mrs. Jeraldine L. Nelson of 309 A Calvary Road, Crisfield Maryalnd 21817: Mr. Kenneth Weinreich of PO Box 693 Crisfield, Maryland 21817:

and Kevin J. Kelehan, Esquire of Reese and Carney at 8651 Baltimore National Pike in Ellicott City, Maryland 21043.

R. Scott Davis

KEVIN J. KELEHAN, et al
Substitute Trustee

vs.

CARL E. NELSON, et al

IN THE CIRCUIT COURT
FOR SOMERSET COUNTY
STATE OF MARYLAND
CHANCERY CASE NO. 10,797

Dear Mr. Clerk:

A hearing has been scheduled for the above captioned case for "Hearing On Exceptions To First And Final Auditor's Report" on Monday, August 24, 1981 at 1:30 p.m.

I have a conflict in scheduling on that date and would request a new date, some time in September.

Very truly yours,

R. Scott Davis

KEVIN J. KELEHAN, et al
Substitute Trustee

vs

CARL E. NELSON, et al

IN THE CIRCUIT COURT

FOR SOMERSET COUNTY

STATE OF MARYLAND

CHANCERY CASE NO. 10,797

O R D E R

Upon consideration of the aforegoing Motion For Postponement, it is hereby this 4th day of Aug., 1981, by the Circuit Court For Somerset County, in Equity, ORDERED that the aforesaid "Hearing On Exceptions To First And Final Auditor's Report" be rescheduled for September 14, 1981, at 11:00 o'clock A. M.

Judge

LIBER 048 PAGE 232

KEVIN J. KELEHAN, et al
Substitute Trustee

vs

CARL E. NELSON, et al

IN THE CIRCUIT COURT

FOR SOMERSET COUNTY

STATE OF MARYLAND

CHANCERY CASE NO. 10,797

O R D E R

Upon consideration of the aforegoing Motion For Postponement, it is hereby this 4th day of Aug., 1981, by the Circuit Court For Somerset County, in Equity,

ORDERED that the aforesaid "Hearing On Exceptions To First And Final Auditor's Report" be rescheduled for September 14, 1981, at 11:00 o'clock A. M.

Leland L. Smith
Judge

TRUE COPY, TEST: I. Theodore Phoebus Clerk.

I. THEODORE PHOEBUS
CLERK OF THE CIRCUIT COURT
FOR SOMERSET COUNTY
PRINCESS ANNE, MD. 21853

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED - UNABLE TO FORWARD

PRINCESS ANNE AUG-4'81 MD

U.S. POSTAGE .18

Mrs. Jeraldine L. Nelson
309 A Calvary Road
~~Crisfield~~, Maryland 21817

☒ Moved, left no address
☐ No such number
☐ Moved, not forwardable
☐ Addressee unknown

OCT 25 1983
Exd

JOHN C. NASON H. MICHAEL HICKSON SUBSTITUTE TRUSTEES for Maryland National Bank 216 East Main Street P. O. Box 44 Salisbury, Maryland 21801	*	NUMBER 11284 CHANCERY IN THE CIRCUIT COURT FOR SOMERSET COUNTY STATE OF MARYLAND
Plaintiffs	*	
VS.	*	
WILLIAM B. SOMERS Box 14283 Crisfield, Maryland 21817	*	
AND	*	
SANDRA K. SOMERS Box 14283 Crisfield, Maryland 21817	*	
Defendants	*	

* *

ORDER TO DOCKET SUIT

MR. CLERK:

Please docket this case as above and file for foreclosure the attached Deed of Trust from William B. Somers and Sandra K. Somers, his wife, to Maryland National Bank dated May 10, 1978 and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 307, Folio 186. Please also file the enclosed copy of the Deed of Appointment of Substitute Trustees dated March 19, 1982 and recorded among the Land Records of Somerset County, Maryland, on April 9, 1982 in Liber I.T.P. No. 332, Folio 105, from Maryland National Bank to John C. Nason and H. Michael Hickson, Substitute Trustees.

BANKS AND NASON, P. A.

By: _____
JOHN C. NASON
216 East Main Street
P. O. Box 44
Salisbury, Maryland 21801
Telephone: 301-546-4644

FOR ORIGINAL DEED OF TRUST SEE LIBER NO. 307, FOLIO 186

FOR DEED OF APPOINTMENT OF SUBSTITUTE TRUSTEES SEE LIBER ITP NO. 332, FOLIO 105

LAW OFFICES OF
BANKS & NASON
PROFESSIONAL ASSOC
216 EAST MAIN ST.
P. O. BOX 44
SALISBURY, MD.
21801

APR 20-82 A 923089D*****10.00
APR 20-82 A 923088D*****60.00

LIBER 048 PAGE NUMBER 334 11284 CHANCERY

JOHN C. NASON
H. MICHAEL HICKSON
for Maryland National Bank
216 East Main Street
P. O. Box 44
Salisbury, Maryland 21801

Plaintiffs

VS.

WILLIAM B. SOMERS
Box 14283
Crisfield, Maryland 21817

AND

SANDRA K. SOMERS
Box 14283
Crisfield, Maryland 21817

Defendants

* IN THE CIRCUIT COURT
* FOR SOMERSET COUNTY
* STATE OF MARYLAND

* *

STATEMENT OF INDEBTEDNESS

Balance Due on principal of Deed of Trust from William B. Somers and Sandra K. Somers, his wife, to Maryland National Bank dated May 10, 1978 and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 307, Folio 186, et seq., is Twenty Two Thousand Four Hundred Sixteen Dollars and Sixty Four Cents ($22,416.64), as of April 16, 1982, plus per diem interest thereafter of $5.65.

JOHN C. NASON, Substitute Trustee
Banks and Nason, P. A.
216 East Main Street
P. O. Box 44
Salisbury, Maryland 21801
Telephone: 301-546-4644

H. MICHAEL HICKSON, Substitute Trustee
Banks and Nason, P. A.
216 East Main Street
P. O. Box 44
Salisbury, Maryland 21801
Telephone: 301-546-4644

LAW OFFICES OF
BANKS & NASON
PROFESSIONAL ASSOC
216 EAST MAIN ST.
P. O. BOX 44
SALISBURY, MD.
21801

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

On this 19th day of April, 1982, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared JOHN C. NASON and H. MICHAEL HICKSON, Substitute Trustees, who acknowledged themselves to be the Substitute Trustees for the purpose of foreclosure and collection of a certain Deed of Trust from William B. Somers and Sandra K. Somers, his wife, to Maryland National Bank, dated May 10, 1978 and recorded among the Land Records of Somerset County, Maryland in Liber I.T.P. 307, Folio 186, et seq., and made oath in due form of law that the above Statement of Indebtedness is true and correct to the best of their knowledge, information and belief, and that they have authority to make said Affidavit on behalf of the said Mortgagee and at the same time, made oath in due form of law that the said William B. Somers and Sandra K. Somers, his wife, are not now serving in the Armed Forces of the United States of America nor any of its allies and have not served in said Armed Forces for a period of ninety (90) days prior to the filing hereof.

AS WITNESS my hand and Notarial Seal.

JUDY L. PFEIFFER NOTARY PUBLIC WICOMICO CO., MD.

Judy L. Pfeiffer
NOTARY PUBLIC
My Commission Expires: 7/1/82

LIBER 048 PAGE 235

LAW OFFICES OF
BANKS & NASON
PROFESSIONAL ASSOC
216 EAST MAIN ST.
P. O. BOX 44
SALISBURY, MD.
21801

LIBER 048 PAGE 236

JOHN C. NASON H. MICHAEL HICKSON SUBSTITUTE TRUSTEES for Maryland National Bank 216 East Main Street P. O. Box 44 Salisbury, Maryland 21801	*	NUMBER 11,284 CHANCERY IN THE CIRCUIT COURT FOR SOMERSET COUNTY STATE OF MARYLAND
Plaintiffs	*	
VS.	*	
WILLIAM B. SOMERS Box 142B3 Crisfield, Maryland 21817	*	
AND	*	
SANDRA K. SOMERS Box 142B3 Crisfield, Maryland 21817	*	
Defendants	*	

* *

MR. CLERK:

Kindly find attached hereto the Bond in the above entitled proceeding.

BANKS AND NASON, P. A.

By: _____
JOHN C. NASON
216 East Main Street
P. O. Box 44
Salisbury, Maryland 21801
Telephone: 301-546-4644

LAW OFFICES OF
BANKS & NASON
PROFESSIONAL ASSOC
216 EAST MAIN ST.
P. O. BOX 44
SALISBURY, MD.
21801

Bond # 2560671

MORTGAGEES OR TRUSTEES BOND

No. 11284 Chancery Case

KNOW ALL MEN BY THESE PRESENTS, THAT we, John C. Nason & H. Michael Hickson Trustee for purpose of foreclosure

as principal, and the FIREMAN'S FUND INSURANCE COMPANY, a body corporate, duly incorporated under the laws of the State of California, as surety, are held and firmly bound unto the STATE OF MARYLAND, in the full and just sum of Twenty five thousand and 00/100

($ 25,000.----------) Dollars, to be paid to the said State or its certain Attorney, to which payment well and truly to be made and done, we bind ourselves and each of us, our and each of our heirs, executors, administrators, successors or assigns, jointly and severally, firmly by these presents, sealed with our seals and dated this 17th day of May, in the year of our Lord Nineteen eighty-two

WHEREAS, the above bounden John C. Nason & H. Michael Hickson, Trustee for purpose of foreclosure

by virtue of the power contained in a mortgage - deed of trust from William B. Somers & Sandra K. Somers to Maryland National Bank

bearing date the 10th day of May 1978

and recorded among the Land Records of Wicomico County, Maryland

in Liber No. ITP307, Folio 186 and

is about to sell the land and premises described in said mortgage - deed of trust, default having been made in the payment of the money as specified, and in the conditions and covenants therein contained.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the above bounden John C. Nason & H. Michael Hickson, Trustee for purpose of foreclosure

do and shall well and truly and faithfully perform the trust reposed in John C. Nason & H. Michael Hickson under the mortgage - deed of trust aforesaid, and shall abide by and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of said property, or the proceeds thereof, then the above obligation to be void; otherwise to be and remain in full force and virtue in law.

IN TESTIMONY WHEREOF, the above bounden John C. Nason & H. Michael Hickson, trustee for the purpose of foreclosure.

has - have hereto set their hand and seal and the said body corporate has caused these presents to be duly signed by its duly authorized agent and attorney-in-fact, the day and year first herein above written.

Signed, sealed and delivered in the presence of

Nancy K. Lunsford

John C Nason (SEAL)

H Michael Hickson (SEAL)

FIREMAN'S FUND INSURANCE COMPANY

As to Surety

by

Joyce Ann Tingle

Vonette Kovatter

Attorney-in-fact

The Within Bond Approved.

Per: I Theodore Phoebus, Clerk.

Bond Book 11 Page 143

LIBER 048 PAGE 237

GENERAL
POWER OF
ATTORNEY

Bond Book 11 Page 144

THE AMERICAN INSURANCE COMPANY

LIBER 048 PG 238

KNOW ALL MEN BY THESE PRESENTS: That THE AMERICAN INSURANCE COMPANY, a Corporation duly organized and existing under the laws of the State of New Jersey, and having its principal office in the City and County of San Francisco, California, has made, constituted and appointed, and does by these presents make, constitute and appoint

ROBBIN W. GRAY, ANGELA D. GRAY, CHARLES T. GRAY
and VONETTE L. HOVATTER
jointly or severally

SALISBURY, MD

its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, seal, acknowledge and deliver any and all bonds, undertakings, recognizances or other written obligations in the nature thereof ----------

and to bind the Corporation thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate seal of the Corporation and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises.

This power of attorney is granted pursuant to Article VIII, Section 30 and 31 of By-laws of THE AMERICAN INSURANCE COMPANY now in full force and effect.

"Article VIII, *Appointment and Authority Assistant secretaries, and Attorney-in-Fact and Agents to accept Legal Process and Make Appearances.*

Section 30, *Appointment.* The Chairman of the Board of Directors, the President, any Vice-President or any other person authorized by the Board of Directors, the Chairman of the Board of Directors, the President or any Vice-President, may, from time to time, appoint Resident Assistant Secretaries and Attorneys-in-Fact to represent and act for and on behalf of the Corporation and Agents to accept legal process and make appearances for and on behalf of the Corporation.

Section 31, *Authority.* The Authority of such Resident Assistant Secretaries, Attorneys-in-Fact, and Agents shall be as prescribed in the instrument evidencing their appointment, and any such appointment and all authority granted thereby may be revoked at any time by the Board of Directors or by any person empowered to make such appointment."

This power of attorney is signed and sealed under and by the authority of the following Resolution adopted by the Board of Directors of THE AMERICAN INSURANCE COMPANY at a meeting duly called and held on the 28th day of September, 1966, and said Resolution has not been amended or repealed:

"RESOLVED, that the signature of any Vice-President, Assistant Secretary, and Resident Assistant Secretary of this Corporation, and the seal of this Corporation may be affixed or printed on any power of attorney, on any revocation of any power of attorney, or on any certificate relating thereto, by facsimile, and any power of attorney, any revocation of any power of attorney, or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Corporation."

IN WITNESS WHEREOF, THE AMERICAN INSURANCE COMPANY has caused these presents to be signed by its Vice-President, and its corporate seal to be hereunto affixed this *17th* day of *November* 19 *80*.

THE AMERICAN INSURANCE COMPANY

By *William W. Lauber*
Vice-President

STATE OF CALIFORNIA,
CITY AND COUNTY OF SAN FRANCISCO } ss.

On this *17th* day of *November*, 19 *80*, before me personally came *William W. Lauber* to me known, who, being by me duly sworn, did depose and say: that he is Vice-President of THE AMERICAN INSURANCE COMPANY, the Corporation described in and which executed the above instrument; that he knows the seal of said Corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Corporation and that he signed his name thereto by like order.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year herein first above written.

OFFICIAL SEAL
SUSIE K. GILBERT
NOTARY PUBLIC - CALIFORNIA
CITY & COUNTY OF SAN FRANCISCO
My Commission Expires Nov. 17, 1980

Susie K. Gilbert
Notary Public

CERTIFICATE

STATE OF CALIFORNIA,
CITY AND COUNTY OF SAN FRANCISCO } ss.

I, the undersigned, Resident Assistant Secretary of THE AMERICAN INSURANCE COMPANY, a NEW JERSEY Corporation, DO HEREBY CERTIFY that the foregoing and attached POWER OF ATTORNEY remains in full force and has not been revoked; and furthermore that Article VIII, Sections 30 and 31 of the By-laws of the Corporation, and the Resolution of the Board of Directors, set forth in the Power of Attorney, are now in force.

FILED

Signed and sealed at the City and County of San Francisco. Dated the _____ day of _____, 19 ____

MAY 20 8 56 AM '82

RECORDED IN
LIBER NO. ____ FOLIO ____
I. THEODORE PHIPPS, CLK. CI. CT.
BY _____ DEPUTY

R. S. Snyder
Resident Assistant Secretary

360711 (HO) — TA — 3-80

JOHN C. NASON H. MICHAEL HICKSON SUBSTITUTE TRUSTEES for Maryland National Bank 216 East Main Street P. O. Box 44 Salisbury, Maryland 21801	*	NUMBER 11,284 CHANCERY
	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COUNTY
	*	STATE OF MARYLAND
Plaintiffs	*	
VS.	*	
WILLIAM B. SOMERS Box 142B3 Crisfield, Maryland 21817	*	
AND	*	
SUSAN K. SOMERS Box 142B3 Crisfield, Maryland 21817	*	
Defendants	*	

* *

CERTIFICATION OF PUBLICATION

MR. CLERK:

Attached please find the Certificate of Publication in the above captioned case.

BANKS, NASON & HICKSON, P. A.

By: _____
JOHN C. NASON, Substitute Trustee

By: _____
H. MICHAEL HICKSON, Substitute Trustee

216 East Main Street
P. O. Box 44
Salisbury, Maryland 21801
Telephone: 301-546-4644

LIBER 048 PAGE 239

LAW OFFICES OF
BANKS & NASON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P. O. BOX 44
SALISBURY, MD.
21801

CRISFIELD, MD. 6-9- 19 82

THIS is to certify that the annexed Trustee Sale has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Trustee Sale for 4 weeks beginning with the issue of May 20 19 82 and ending June 9, 19 82.

William A. Martin Jr.
Publisher, THE CRISFIELD TIMES

LIBER 048 PAGE 240

BANKS AND NASON, P. A.
216 East Main Street
Salisbury, Maryland 21801

Trustees' Sale

Of Extremely Valuable Residential Property

FARM MARKET ROAD
Hopewell
Crisfield, Maryland

Under and by virtue of a power of sale contained in a certain Deed of Trust from William B. Somers and Sandra K. Somers, his wife, to Walter D. Stockbridge and John B. Wallace, III, Trustees dated May 10, 1978 and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 307, Folio 186, et. seq., the holder of the indebtedness secured by the Deed of Trust having appointed John C. Nason and H. Michael Hickson, Substitute Trustees, by instrument duly executed, acknowledged and recorded among the Land Records of Somerset County, Maryland in Liber I.T.P. No. 332, Folio 105, default having occurred under the terms thereof, and at the request of the parties secured thereby, the undersigned Substitute Trustees will sell at Public Auction, on the premises, Box 142B3, Farm Market Road, Crisfield, Maryland on

Friday, June 11, 1982

At Or About The Hour Of 2:00 P.M.

All that lot or parcel of land situate, lying and being in the Lawsons Election District, State and County aforesaid, lying and binding on the north side of the county road known as Hopewell County Road leading from Maryland Route 413 to Cash Corner and the Gunby Creek Road, bounded on the north and west by a certain 16' right of way on the reserved land of Miles Edgar Brittingham, et al, and bounded on the east by the reserved land of the said Miles Edgar Brittingham, et. al; said tract or parcel of land herein described being more particularly described as follows: Beginning for the same at a concrete post placed on the north side of the aforesaid county road at the extreme southwest corner of the reserved land of Miles Edgar Brittingham, et al, and at the extreme southeast corner of the land herein described and conveyed, thence by and with the north side of the said county road the three following courses and distances: (1) North 54° 21' 30" West 5.70 feet to a

LAW OFFICES OF
BANKS & NASON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P. O. BOX 44
SALISBURY, MD.
21801

point, thence (2) North 67° 30' 30" West 110.53 feet to a point, thence (3) North 54° 35' West 73.77 feet to a point which marks the southwesternmost corner of the land herein described, thence by and with the east side of the aforesaid 16' right of way the two following courses and distances: (4) North 38° 48' 10" East a distance of 66.99 feet to a point, thence (5) North 68° 58' East 263.85 feet to a concrete post which marks the northernmost part of the land herein described, thence (6) South 27° 32' 20" West by and with the reserved land of Miles Edgar Brittingham, et al, a distance of 264.49 feet to the first mentioned concrete post and place of beginning; containing 30,000 square feet as laid down and described on a plat entitled "Plat of Property surveyed for William B. Somers and Sandra K. Somers" by G. Oliver Morrell dated May 13, 1975 (File S-1759) and recorded among the Land Records of Somerset County in Liber I.T.P. No. 287, page 578; being the same and all the land which was conveyed unto the said William B. Somers and Sandra K. Somers, his wife, by Miles Edgar Brittingham and Bobby Lee Brittingham, partners trading as Brittingham Brothers, by deed dated June 12, 1975 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 287, page 575.

The property will be sold subject to all covenants, agreements, conditions, easements, liens, rights-of-way and restrictions as may appear among the Land Records of Somerset County, Maryland, or elsewhere, affecting the same.

This property is improved by a frame ranch dwelling containing three bedrooms, one bath as well as several other rooms. Some finish work may be required.

Directions To Sale: Subject property is located on Farm Market Road in that area known as Hopewell, approximately two miles east of Crisfield, Maryland.

TERMS OF SALE: A deposit of Five Thousand Dollars ($5,000.00) in the form of cash or certified check will be required at the time and place of sale from the successful bidder. The balance is cash or certified check is to be paid by the purchaser no later than twenty (20) days after final ratification of the within sale by the Circuit Court for Somerset County, Maryland, unless said period is extended by the Substitute Trustees, their successors or assigns, for good cause shown, time being of the essence. The said unpaid portion of the purchase money shall bear interest at the rate of twelve percent (12%) per annum from the date of sale to the date of settlement and shall be secured to the satisfaction of the undersigned Substitute Trustees. In the event the successful bidder fails to consumate the purchase in accordnace with the terms of sale as herein provided, said deposit, at the option of the Substitute Trustees, will be forfeited and applied to the costs and expenses of this sale and the balance, if any, shall be retained by the Substitute Trustees as compensation for said sale. Said forfeiture shall not limit any right of the Substitute Trustees, or of the holder of the Deed of Trust being herein foreclosed upon, to further avail themselves of any additional legal or equitable remedies resulting from said failure to consummate the purchase. All taxes, water and sewer charges to be adjusted to the date of sale. All costs of title examination, documentary stamps, transfer taxes and title papers to be at the expense of the purchaser. This sale may be subject to the Maryland Agricultural Transfer Tax, the payment of which and responsibility therefore shall be borne by the purchaser. The improvements are being sold in an "as is" condition and without any warranty or representation as to this nature, condition or suitability for a particular or generalhpurpose either expressed or implied, made by the below-named Substitute Trustees or by the holder of the said Deed of Trust. Risk of loss or of damage to the property shall pass to the successful bidder at the time of the ratification of the sale.

Inquiries regarding the subject sale should be directed to the undersigned Substitute Trustees.

JOHN C. NASON, Esquire
H. MICHAEL HICKSON, Esquire
Banks and Nason, P. A.
216 East Main Street
P. O. Box 44
Salisbury, Maryland 21801
Telephone: 301-546-4644

5-20-4t

JOHN C. NASON H. MICHAEL HICKSON SUBSTITUTE TRUSTEES for Maryland National Bank 216 East Main Street P. O. Box 44 Salisbury, Maryland 21801	*	NUMBER 11,284 CHANCERY IN THE CIRCUIT COURT FOR SOMERSET COUNTY STATE OF MARYLAND
Plaintiffs	*	
VS.	*	
WILLIAM B. SOMERS Box 142B3 Crisfield, Maryland 21817	*	LIBER 048 PAGE 242
AND	*	
SANDRA K. SOMERS Box 142B3 Crisfield, Maryland 21817	*	
Defendants	*	

* *

AFFIDAVIT OF COMPLIANCE

STATE OF MARYLAND, COUNTY OF SOMERSET, TO WIT:

John C. Nason and H. Micheal Hickson, Substitute Trustees for the purpose of foreclosure and collection of a Deed of Trust from William B. Somers and Sandra K. Somers, his wife, to Maryland National Bank dated May 10, 1978 and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 307, Folio 186, and makes oath and certifies that pursuant to Rule W74 (a)(2)(c) of the Maryland Rules of Procedure, that they, on the 1st day of June, 1982, did send by Registered Mail, return receipt requested to Susan K. Somers at her last known address, notice of time, place and terms of sale, the same having been sent no earlier than twenty (20) days and no later than five (5) days before the date of sale. Attached herewith is a copy of the receipt showing that the said notice was given as above set forth and received by Susan K. Somers.

JOHN C. NASON, Substitute Trustee

H. MICHAEL HICKSON, Substitute Trustee

BANKS, NASON & HICKSON, P. A.
216 East Main Street
P. O. Box 44
Salisbury, Maryland 21801
Telephone: 301-546-4644

LAW OFFICES OF
BANKS & NASON
PROFESSIONAL ASSOC
216 EAST MAIN ST.
P. O. BOX 44
SALISBURY, MD.
21801

STATE OF MARYLAND, COUNTY OF WICOMICO, TO WIT:

I HEREBY CERTIFY, that on this 10th day of June, 1982, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared John C. Nason and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his knowledge, information and belief.

AS WITNESS my hand and Notarial Seal.

JUDY L. PFEIFFER NOTARY PUBLIC WICOMICO CO., MD.

Judy L. Pfeiffer
NOTARY PUBLIC
My Commission Expires: 7/1/86

STATE OF MARYLAND, COUNTY OF WICOMICO, TO WIT:

I HEREBY CERTIFY, that on this 10th day of June, 1982, before me, the subscriber, a Notary Public in and for the State and County aforesaid personally appeared H. Michael Hickson and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his knowledge, information and belief.

AS WITNESS my hand and Notarial Seal.

JUDY L. PFEIFFER NOTARY PUBLIC WICOMICO CO., MD.

Judy L. Pfeiffer
NOTARY PUBLIC
My Commission Expires: 7/1/86

LIBER 048 PAGE 243

LAW OFFICES OF
BANKS & NASON
PROFESSIONAL ASSOC
216 EAST MAIN ST.
P. O. BOX 44
SALISBURY, MD.
21801

A

P 213 845 118

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO Sandra K. Somers	
STREET AND NO. Box 142B3	
P.O., STATE AND ZIP CODE Crisfield, Maryland 21817	
POSTAGE	$
CERTIFIED FEE	¢
SPECIAL DELIVERY	¢
RESTRICTED DELIVERY	¢
SHOW TO WHOM AND DATE DELIVERED	¢
SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	¢
SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	¢
SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	¢
TOTAL POSTAGE AND FEES	$2.72
POSTMARK OR DATE 6/1/82	

CONSULT POSTMASTER FOR FEES
OPTIONAL SERVICES
RETURN RECEIPT SERVICE

PS Form 3800, Apr. 1976

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).
- ☐ Show to whom and date delivered..... 15¢
- ☐ Show to whom, date, & address of delivery.. 55¢
- ☒ RESTRICTED DELIVERY.
- ☐ Show to whom and date delivered..... 65¢
- ☐ RESTRICTED DELIVERY.
- ☐ Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:
Sandra K. Somers
Box 142B3
Crisfield, Maryland 21817

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	P213845118	

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent
Sandra Somers

4. DATE OF DELIVERY
6/3/82

POSTMARK
MARION STATION, MD
JUN 4 1982
USPO

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS
WHP

☆ GPO: 1976—O-203-456

LIBER 048 PAGE 244

JOHN C. NASON H. MICHAEL HICKSON SUBSTITUTE TRUSTEES for Maryland National Bank 216 East Main Street P. O. Box 44 Salisbury, Maryland 21801	*	NUMBER 11,284 CHANCERY
	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COUNTY
	*	STATE OF MARYLAND
Plaintiffs	*	
VS.	*	
WILLIAM B. SOMERS Box 142B3 Crisfield, Maryland 21817	*	
AND	*	
SUSAN K. SOMERS Box 142B3 Crisfield, Maryland 21817	*	
Defendants	*	

* *

AFFIDAVIT OF COMPLIANCE

STATE OF MARYLAND, COUNTY OF SOMERSET, TO WIT:

John C. Nason and H. Michael Hickson, Substitute Trustees for the purpose of foreclosure and collection of a Deed of Trust from William B. Somers and Sandra K. Somers, his wife, to Maryland National Bank dated May 10, 1978 and recorded among the Land Records of Somerset County, Maryland in Liber I.T.P. No. 307, Folio 186, and makes oath and certifies that pursuant to Rule W74 (a) (2)(c) of the Maryland Rules of Procedure, that they, on the 1st day of June, 1982, did send by Registered Mail, return receipt requested to William B. Somers at his last known address, notice of time, place and terms of sale, the same having sent no earlier than twenty (20) days and no later than five (5) days before the date of sale. The signed returned receipt reflective of receipt by the Defendant of said notice was not received back by the United States Post Office.

JOHN C. NASON, Substitute Trustee

H. MICHAEL HICKSON, Substitute Trustee

BANKS, NASON & HICKSON, P. A.
216 East Main Street
P. O. Box 44
Salisbury, Maryland 21801
Telephone: 301-546-4644

LAW OFFICES OF
BANKS & NASON
PROFESSIONAL ASSOC
216 EAST MAIN ST.
P. O. BOX 44
SALISBURY, MD.
21801

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 10th day of June, 1982, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared John C. Nason and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his knowledge, information and belief.

AS WITNESS my hand and Notarial Seal.

JUDY L. PFEIFFER NOTARY PUBLIC WICOMICO CO., MD.

Judy L. Pfeiffer
NOTARY PUBLIC
My Commission Expires: 7/1/~~82~~ 86

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 10th day of June, 1982, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared H. Michael Hickson, and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his knowledge, information and belief.

AS WITNESS my hand and Notarial Seal.

JUDY L. PFEIFFER NOTARY PUBLIC WICOMICO CO., MD.

Judy L. Pfeiffer
NOTARY PUBLIC
My Commission Expires: 7/1/~~82~~ 86

LAW OFFICES OF
BANKS & NASON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P. O. BOX 44
SALISBURY, MD.
21801

P 213 845 117

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO William B. Somers	
STREET AND NO. Box 142B3	
P.O., STATE AND ZIP CODE Crisfield, Maryland 21817	
POSTAGE	$
CERTIFIED FEE	¢
SPECIAL DELIVERY	¢
RESTRICTED DELIVERY	¢
SHOW TO WHOM AND DATE DELIVERED	¢
SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	¢
SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	¢
SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	¢
TOTAL POSTAGE AND FEES	$2.72
POSTMARK OR DATE 6/1/82	

CONSULT POSTMASTER FOR FEES — OPTIONAL SERVICES — RETURN RECEIPT SERVICE

PS Form 3800, Apr. 1976

LIBER 048 PAGE 247

JOHN C. NASON H. MICHAEL HICKSON SUBSTITUTE TRUSTEES for Maryland National Bank 216 East Main Street P. O. Box 44 Salisbury, Maryland 21801	*	NUMBER 11,284 CHANCERY
	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COURNTY
	*	STATE OF MARYLAND
Plaintiffs	*	
VS.	*	
WILLIAM B. SOMERS Box 142B3 Crisfield, Maryland 21817	*	LIBER 048 PAGE 248
AND	*	
SANDRA K. SOMERS Box 142B3 Crisfield, Maryland 21817	*	
Defendants	*	

* *

MR. CLERK:

Kindly find enclosed herewith the following documents relative to the above Chancery Proceedings:

1. Report Of Sale
2. Order Nisi - please forward onto the Crisfield Times for insertion per the said Order.
3. Final Order Of Ratification - to be submitted to the Court at the appropriate time.

Thank you,

BANKS, NASON & HICKSON, P. A.

By: _____
JOHN C. NASON, Substitute Trustee

By: _____
H. MICHAEL HICKSON, Substitute
216 East Main Street
P. O. Box 44
Salisbury, Maryland 21801
Telephone: 301-546-4644

LAW OFFICES OF
BANKS & NASON
PROFESSIONAL ASSOC
216 EAST MAIN ST.
P. O. BOX 44
SALISBURY, MD.
21801

JOHN C. NASON H. MICHAEL HICKSON SUBSTITUTE TRUSTEES for Maryland National Bank 216 East Main Street P. O. Box 44 Salisbury, Maryland 21801	* * * * *	NUMBER 11,284 CHANCERY IN THE CIRCUIT COURT FOR SOMERSET COUNTY STATE OF MARYLAND
Plaintiffs	*	
VS.	*	
WILLIAM B. SOMERS Box 142B3 Crisfield, Maryland 21817	* *	
AND	*	
SANDRA K. SOMERS Box 142B3 Crisfield, Maryland 21817	* *	
Defendants	*	

* * * \

north and west by a certain 16' right of way on the reserved land of Miles Edgar Brittingham, et al, and bounded on the east by the reserved land of the said Miles Edgar Brittingham, et al; said tract or parcel of land herein described being more particularly described as follows: Beginning for the same at a concrete post placed on the north side of the aforesaid county road at the extreme southwest corner of the reserved land of Miles Edgar Brittingham, et al, and at the extreme southeast corner of the land herein described and conveyed, thence by and with the north side of the said county road the three following courses and distances: (1) North 54° 21' 30" West 5.70 feet to a point, thence (2) North 67° 30' 30" West 110.53 feet to a point, thence (3) North 54° 35' West 73.77 feet to a point which marks the southwesternmost corner of the land herein described, thence by and with the east side of the aforesaid 16' right of way the two following courses and distances: (4) North 38° 48' 10" East a distance of 66.99 feet to a point, thence (5) North 68° 58' East 263.85 feet to a concrete post which marks the northernmost part of the land herein described, thence (6) South 27° 32' 20" West by and with the reserved land of Miles Edgar Brittingham, et al, a distance of 264.49 feet to the first mentioned concrete post and place of beginning; containing 30,000 square feet as laid down and described on a plat entitled "Plat of Property surveyed for William B. Somers and Sandra K. Somers" by G. Oliver Morrell dated May 13, 1975 (File S-1759) and recorded among the Land Records of Somerset County in Liber I.T.P. No. 287, page 578; being the same and all the land which was conveyed unto the said William B. Somers and Sandra K. Somers, his wife, by Miles Edgar Brittingham and Bobby Lee Brittingham, partners trading as Brittingham Brothers, by deed dated June 12, 1975 and recorded among the Land Reocrds of Somerset County in Liber I.T.P. No. 287, page 575, et seq.

2. That the said Substitute Trustees did sell the above described real property to Milton H. Justice and Emma Gladys Justice at and for the sum of Twenty Five Thousand ($25,000.00) said amount being the highest and best bid for said property and said purchaser having complied with the terms of sale as set forth in the advertisement of sale.

AND AS IN DUTY BOUND, ETC.

Respectfully Submitted,

JOHN C. NASON, Substitute Trustee

H. MICHAEL HICKSON, Substitute Trustee
BANKS, NASON & HICKSON, P. A.
216 East Main Street
Salisbury, Maryland 21801
Telephone: 301-546-4644

LAW OFFICES OF
BANKS & NASON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P. O. BOX 44
SALISBURY, MD.
21801

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 14th day of June, 1982, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared John C. Nason, Substitute Trustee for the purpose of foreclosure and collection of a mortgage to Maryland National Bank and made oath in due form of law that the aforegoing matters and facts set forth in the Report of Sale herein are true and correct to the best of this knowledge, information and belief, and that the said sale was fairly made.

AS WITNESS my hand and Notarial Seal.

JUDY L. PFEIFFER NOTARY PUBLIC WICOMICO CO., MD.

Judy L. Pfeiffer
NOTARY PUBLIC
My Commission Expires: 7/1/82

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 14th day of June, 1982, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared H. Michael Hickson, Substitute Trustee for the purpose of foreclosure and collection of a mortgage to Maryland National Bank and made oath in due form of law that the aforegoing matters and facts set forth in the Report of Sale herein are tru and correct to the best of his knowledge, information and belief, and that the said sale was fairly made.

AS WITNESS my hand and Notarial Seal.

JUDY L. PFEIFFER NOTARY PUBLIC WICOMICO CO., MD.

Judy L. Pfeiffer
NOTARY PUBLIC
My Commission Expires: 7/1/82

LAW OFFICES OF
BANKS & NASON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P. O. BOX 44
SALISBURY, MD.
21801

JOHN C. NASON H. MICHAEL HICKSON SUBSTITUTE TRUSTEES for Maryland National Bank 216 East Main Street P. O. Box 44 Salisbury, Maryland 21801	*	NUMBER 11,284 CHANCERY
	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COUNTY
	*	STATE OF MARYLAND
Plaintiffs	*	
VS.	*	LIBER 048 PAGE 252
WILLIAM B. SOMERS Box 142B3 Crisfield, Maryland 21817	*	
AND	*	
SANDRA K. SOMERS Box 142B3 Crisfield, Maryland 21817	*	
Defendants	*	

* *

ORDER NISI

ORDERED, by the Circuit Court for Wicomico County, State of Maryland, In Equity, this 14 day of June, 1982, that the sale of the real estate mentioned in these proceedings made and reported by John C. Nason and H. Michael Hickson, Substitute Trustees for the purpose of foreclosure and collection, be ratified and confirmed unless cause to the contrary be shown on or before the 16 day of July, 1982, provided a copy of this Order be inserted in some newspaper published in said Somerset County, once in each of three successive weeks before the 9 day of July, 1982.

The report states that the real estate mentioned was sold for Twenty Five Thousand Dollars ($25,000.00).

CLERK OF THE CIRCUIT COURT
For Somerset County, Maryland

LAW OFFICES OF
BANKS & NASON
PROFESSIONAL ASSOC
216 EAST MAIN ST.
P. O. BOX 44
SALISBURY, MD.
21801

JOHN C. NASON H. MICHAEL HICKSON SUBSTITUTE TRUSTEES for Maryland National Bank 216 East Main Street P. O. Box 44 Salisbury, Maryland 21801	*	NUMBER 11,284 CHANCERY
	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COUNTY
	*	STATE OF MARYLAND
Plaintiffs	*	
VS.	*	
WILLIAM B. SOMERS Box 142B3 Crisfield, Maryland 21817	*	
AND	*	
SANDRA K. SOMERS Box 142B3 Crisfield, Maryland 21817	*	
Defendants	*	

* *

AFFIDAVIT OF PURCHASER

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

We I, Milton H. Justice EMMA Gladys Justice, do hereby make oath in due form of law that I have purchased, as Agent for the property fully set forth in these proceedings at and for the sum of Twenty Five Thousand Dollars ($25,000.00) and that I was acting solely ~~as the Agent for said~~ for themselves in bidding on said property and that I have not directly or indirectly discouraged anyone from bidding for said property.

Emma Gladys Justice
EMMA GLADYS JUSTICE
Milton H. Justice
MILTON H. JUSTICE

Subscribed and sworn to before me, this 11th day of June, 1982.

NOTARY PUBLIC
My Commission Expires: 7/1/82

LAW OFFICES OF
BANKS & NASON
PROFESSIONAL ASSOC
216 EAST MAIN ST.
P. O. BOX 44
SALISBURY, MD.
21801

JOHN C. NASON H. MICHAEL HICKSON SUBSTITUTE TRUSTEES for Maryland National Bank 216 East Main Street P. O. Box 44 Salisbury, Maryland 21801	*	NUMBER 11,284 CHANCERY
	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COUNTY
	*	STATE OF MARYLAND
Plaintiffs	*	
VS.	*	
WILLIAM B. SOMERS Box 142B3 Crisfield, Maryland 21817	*	LIBER 048 PAGE 254
AND	*	
SUSAN K. SOMERS Box 142B3 Crisfield, Maryland 21817	*	
Defendants	*	

* * * \

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 23rd day of June, 1982, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared John C. Nason and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his knowledge, information and belief.

AS WITNESS, my hand and Notarial Seal.

JUDY L. PFEIFFER NOTARY PUBLIC WICOMICO CO., MD.

Judy L. Pfeiffer
NOTARY PUBLIC
My Commission Expires: 7/1/86

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 23rd day of June, 1982, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared H. Michael Hickson, and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his knowledge, information and belief.

AS WITNESS my hand and Notarial Seal.

JUDY L. PFEIFFER NOTARY PUBLIC WICOMICO CO., MD.

Judy L. Pfeiffer
NOTARY PUBLIC
My Commission Expires: 7/1/86

LAW OFFICES OF
BANKS & NASON
PROFESSIONAL ASSOC
216 EAST MAIN ST.
P. O. BOX 44
SALISBURY, MD.
21801

LAW OFFICES OF
BANKS & NASON
PROFESSIONAL ASSOCIATION
215 EAST MAIN STREET
P. O. BOX 44
SALISBURY, MARYLAND 21801

RETURNED TO SENDER

REASON CHECKED
Unclaimed X Refused
Address is unknown
Insufficient Address
No such street number
No such office in state
Do not remail in this envelope

CLAIM CHECK NO. 430502

☐ HOLD

DATE 6.2

1ST NOTICE 6-12-82

2ND NOTICE 6-17-82

RETURN

Detached from PS Form 3849—A Oct. 1980

RESTRICTED DELIVERY

Return Receipt Requested

CERTIFIED

P 213 845 117

MAIL

SALISBURY MD JUN-1'82

U.S. POSTAGE 2.7

Mr. William B. Somers
Box ~~142B3~~
Crisfield, Maryland ~~21817~~

Moved left no address R/ RC

LIBER 048 PAGE 256

CRISFIELD, MD.
JUN 19 PM 1982
21817

PS Form 3811, Mar. 1976 RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

- ☐ Show to whom and date delivered..... 15¢
- ☐ Show to whom, date, & address of delivery.. 35¢
- ☒ RESTRICTED DELIVERY.
  Show to whom and date delivered..... 65¢
- ☐ RESTRICTED DELIVERY.
  Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:
William B. Somers
Box 142B3
Crisfield, Maryland 21817

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	P213845117	

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent

4. DATE OF DELIVERY

POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

☆ GPO : 1976—O-203-456

LIBER 048 PAGE 257

JOHN C. NASON
H. MICHAEL HICKSON
SUBSTITUTE
TRUSTEES
for Maryland National
Bank
216 East Main Street
P. O. Box 44
Salisbury, Maryland
21801
Plaintiffs

vs.

WILLIAM B. SOMERS
Box 142B3
Crisfield, Maryland 21817
AND
SANDRA K. SOMERS
Box 142B3
Crisfield, Maryland 21817
Defendants

Number 11,284 Chancery
In The Circuit Court
For Somerset County
State of Maryland

ORDER NISI

ORDERED, by the Circuit Court for Somerset County, State of Maryland, In Equity, this 14th day of June, 1982, that the sale of the real estate mentioned in these proceedings made and reported by John C. Nason and H. Michael Hickson, Substitute Trustees for the purpose of foreclosure and collection, be ratified and confirmed unless cause to the contrary be shown on or before the 16th day of July, 1982, provided a copy of this Order be inserted in some newspaper published in said Somerset County, once in each of three successive weeks before the 9th day of July, 1982.

The report states that the real estate mentioned was sold for Twenty Five Thousand Dollars ($25,000.00).

I. Theodore Phoebus
Clerk of the Circuit
Court for Somerset
County, Maryland

True Copy, Test:
I. Theodore Phoebus,
Clerk

6-23-3t

CRISFIELD, MD. 8-4- 19 82

Order Nisi

THIS is to certify that the annexed Order Nisi has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order Nisi for 3 weeks beginning with the issue of June 23, 19 82 and ending July 7, 19 82.

William A. MartinJr.
Publisher, THE CRISFIELD TIMES

LIBER 048 PAGE 258

JOHN C. NASON H. MICHAEL HICKSON SUBSTITUTE TRUSTEES for Maryland National Bank 216 East Main Street P. O. Box 44 Salisbury, Maryland 21801	*	NUMBER 11,284 CHANCERY
	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COUNTY
	*	STATE OF MARYLAND
Plaintiffs	*	
VS.	*	
WILLIAM B. SOMERS Box 142B3 Crisfield, Maryland 21817	*	
AND	*	
SANDRA K. SOMERS Box 142B3 Crisfield, Maryland 21817	*	
Defendants	*	

* * * * * * * * * * * * * * * * * * * *

FINAL ORDER OF RATIFICATION

ORDERED, by the Circuit Court for Wicomico County, State of Maryland, In Equity, this 5TH day of ~~June~~ AUGUST, 1982, that the sale made and reported by John C. Nason and H. Michael Hickson, Substitute Trustees for the purpose of foreclosure and collection as aforesaid, be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown, though due notice appears to have been given as required by the Order Nisi passed in said cause and the said Substitute Trustees be and they are allowed commissions and such proper expense as they shall produce vouchers therefore.

R. G. Horsey
JUDGE

LAW OFFICES OF
BANKS & NASON
PROFESSIONAL ASSOC
216 EAST MAIN ST.
P. O. BOX 44
SALISBURY, MD.
21801

LIBER 048 PAGE 260

JOHN C. NASON H. MICHAEL HICKSON SUBSTITUTE TRUSTEES for Maryland National Bank 216 East Main Street P.O. Box 44 Salisbury, Maryland 21801	*	CHANCERY NO. 11,284
Plaintiffs	*	IN THE CIRCUIT COURT
v.	*	
WILLIAM B. SOMERS Box 142B3 Crisfield, Maryland 21817	*	FOR SOMERSET COUNTY
and	*	STATE OF MARYLAND
SANDRA K. SOMERS Box 142B3 Crisfield, Maryland 21817	*	
Defendants	*	

* * * * * * * * * * * * *

APPLICATION FOR SURPLUS OF PROCEEDS OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Maryland National Bank by John C. Nason and Banks, Nason & Hickson, P.A., its attorneys, pursuant to Rule W75(a) of the Maryland Rules of Procedure, hereby makes application to have the surplus of the proceeds of the sale reported in this proceeding paid over to the said Maryland National Bank, and in support of said application submits the following:

1. That the property which was the subject of this foreclosure proceeding was the subject of a Second Mortgage from William B. Somers and Sandra K. Somers, his wife, to Maryland National Bank, dated February 27, 1979, and recorded among the Land Records of Wicomico County, Maryland, in Liber I.T.P. No. 287, Folio 575, in the principal amount of $9,000.00, a copy of which is attached hereto.

2. That the said indebtedness secured by the said Second Mortgage is still outstanding in the amount of $8,080.52, as of March 12, 1982, plus per diem interest thereafter of $2.602.

3. That the said Second Mortgage is a lien against said real estate and the improvements thereon.

LAW OFFICES OF
BANKS, NASON &
HICKSON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P.O. BOX 44
SALISBURY, MD
21801

4. That according to the Report Of Sale filed in this proceeding, there appears that there will be surplus funds relating from said Sale.

WHEREFORE, the Applicant applies for an Order of this Court directing that the surplus of the proceeds of sale, after payment to the mortgagee of its claim and expenses, be paid over to the Applicants according to the proper priority.

BANKS, NASON & HICKSON, P.A.

By: _____
JOHN C. NASON
216 East Main Street
P.O. Box 44
Salisbury, Maryland 21801
Telephone: (301) 546-4644

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY that on this 12th day of August, 1982, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared William T. Hill, Vice President of Maryland National Bank, Applicant named in the foregoing Application For Surplus Of Proceeds Of Sale, and made oath in due form of law that the matters and facts therein stated are true to the best of his knowledge and belief.

AS WITNESS my hand and Notarial Seal.

JUDY L. PFEIFFER NOTARY PUBLIC WICOMICO CO., MD.

_____
NOTARY PUBLIC
My Commission Expires: July 1, 1986

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that we mailed a copy of the foregoing Application For Surplus Of Proceeds Of Sale to Logan C. Widdowson, Esquire, Court Auditor, 47 North Somerset Avenue, Princess Anne, Maryland 21853, by regular U.S. mail, postage prepaid, this 6th day of August, 1982.

_____
JOHN C. NASON

LIBER 048 PAGE 261

LAW OFFICES OF
BANKS, NASON &
HICKSON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P.O. BOX 44
SALISBURY, MD
21801

LIBER 048 PAGE 262

JOHN C. NASON H. MICHAEL HICKSON SUBSTITUTE TRUSTEES for Maryland National Bank 216 East Main Street P.O. Box 44 Salisbury, Maryland 21801	*	CHANCERY NO. 11,284
Plaintiffs	*	IN THE CIRCUIT COURT
v.	*	
WILLIAM B. SOMERS Box 142B3 Crisfield, Maryland 21817	*	FOR SOMERSET COUNTY
and	*	STATE OF MARYLAND
SANDRA K. SOMERS Box 142B3 Crisfield, Maryland 21817	*	
Defendants	*	

* * * * * * * * * * * * *

ORDER OF COURT

Upon the foregoing Application For Surplus Of Proceeds Of Sale, it is this 16th day of Aug, 1982, by the Circuit Court for Somerset County, Maryland, in Equity, ORDERED:

That the claim of Maryland National Bank, filed in the above styled case in the amount of $8,080.52 be allowed out of the surplus proceeds of sale according to its proper priority.

Lloyd L. Simpson
JUDGE

LAW OFFICES OF
BANKS, NASON &
HICKSON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P.O. BOX 44
SALISBURY, MD
21801

JOHN C. NASON and H. MICHAEL HICKSON, Substitute Trustees Plaintiffs vs. WILLIAM B. SOMERS and SANDRA K. SOMERS Defendants	*	CHANCERY NO. 11,284 IN THE CIRCUIT COURT FOR SOMERSET COUNTY STATE OF MARYLAND

FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he made an examination of the proceedings in the above entitled cause and from them and the list of expenses furnished him therein, states the following Account:

Amount of Sale			$ 25,000.00
Interest from Date of Sale to Settlement			355.07
Tax Refund			45.77
			$ 25,400.84
Fees, Costs, Expenses, Etc.:			
I. Theodore Phoebus, Court Costs		$ 179.00	
Crisfield Times		458.00	
Advertising	$410.40		
Order Nisi	47.60		
Gray Insurance Agency, Inc., Bond		100.00	
O.J. Brittingham, Auctioneer's Fee		150.00	
Logan C. Widdowson, Auditor's Fee		65.00	
Substitute Trustee's Commission, 5% of $25,000.00 per Deed of Trust		1,250.00	
Attorney's Fee per Deed of Trust		250.00	
Certified Mail		7.99	
Total Fees, Costs, Expenses, Etc.		2,459.99	
Balance to be Distributed			$ 22,940.85
Balance due per statement on Deed of Trust		$22,416.64	
Interest per diem $5.65 from April 16, 1982 to September 3, 1982		791.00	
Total Mortgage Debt		$23,207.64	
Deficit			$ 266.79

ALL EXCEPTIONS to said report must be filed within fifteen (15) days of the date of filing; if no exceptions are filed, the Account may be ratified.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied iwth by mailing on the date of the filing of the Audit notice of this report to the following parties by regular U.S. mail:

John C. Nason, Esquire
H. Michael Hickson, Esquire
216 E. Main Str., P.O. Box 44
Salisbury, MD 21801

William B. Somers
Box 142B3
Crisfield, MD 21817

Sandra K. Somers
Box 142B3
Crisfield, MD 21817

Logan C. Widdowson, Auditor

Date of Filing: August 19, 1982

LOGAN C. WIDDOWSON
ATTORNEY AT LAW
NORTH SOMERSET AVENUE
PRINCESS ANNE, MD. 21853
651-3800

LCW/gjb
8/19/82
82 # 121

No. 11,284 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 19th day of August, 19 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the 3rd day of September, 19 82.

L. Theodore Phoebus
CLERK

No exceptions having been filed, and no cause to the contrary having been shown, IT IS ORDERED by the Circuit Court for Somerset County, in Equity, this 15th day of September, 19 82 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

L. Theodore Phoebus
CLERK

OCT 25 1983

Exd.

MAY -5-82 B 023577D*****10.00
MAY -5-82 B 023576D*****60.00

G. DONALD SMITH, Assignee for Purpose of Foreclosure and Collection from Olian Johnson, Jr. and Daisey R.C. Johnson, to Elizabeth H. Hardiman	*	NO. 11,296 CHANCERY
	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COUNTY,
	*	STATE OF MARYLAND
EX PARTE		

* * * * *

ORDER TO FILE MORTGAGE FOR FORECLOSURE

Mr. Clerk:

Please docket the above entitled case and file the following documents in the proceedings:

1. Original mortgage from Olian Johnson, Jr. and Daisey R.C. Johnson to Elizabeth H. Hardiman dated June 23, 1975 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 286, Folio 619,

2. Photostatic copy of a note in the principal sum of Eleven Thousand Seven Hundred Dollars ($11,700.00) from said parties securing said mortgage.

3. Statement of Mortgage Debt and Military Affidavit.

G. Donald Smith
G. Donald Smith, Assignee for Purpose of Foreclosure and Collection

Address of mortgagors:

Olian Johnson, Jr. and Daisey R.C. Johnson, 405 Antioch Avenue, Princess Anne, Maryland 21853

FOR ORIGINAL MORTGAGE SEE LIBER ITP NO. 287, FOLIO 619

FOR ASSIGNMENT SEE LIBER ITP NO. 332, FOLIO 497.

LAW OFFICES
G. DONALD SMITH
SUITE 3C3
106 DOWNTOWN PLAZA
SALISBURY, MD 21801
742-0445

Princess Anne, Maryland
June 23, 1975

LIBER 048 PAGE 266

$11,700.00

Secured by mortgage of even date herewith, and for value received, we, jointly and severally, promise to pay to the order of Elizabeth H. Hardiman, eleven thousand seven hundred dollars, with interest from the date hereof at the rate of eight per cent (8%) per annum; in one hundred twenty (120) monthly installments of one hundred forty-one dollars and ninety-six cents ($141.96) each, the first of said installments being due and payable on the 23rd day of July, 1975, and the remaining installments on even date of each succeeding month thereafter until fully paid, said installments to be credited first to interest and the balance to principal of said indebtedness and hereby waive the benefit of all statutory exemptions and all right to exemption from execution as to the debt evidenced by this note, and if default be made in the payment or any installment, hereby covenant to pay ten per cent additional as a collection fee, and hereby authorize and empower any Attorney of any Court of Record at any time after default in the payment of any installment hereof to confess judgment against us for whatever amount may be due on this obligation, principal and interest and costs of suit; with ten per cent collection charges.

As witness our hands and seals.

Witness: Tony Bruce

Olian Johnson, Jr. (SEAL)
Olian Johnson, Jr.

Daisey R.C. Johnson (SEAL)
Daisey R. C. Johnson

G. DONALD SMITH, Assignee for Purpose of Foreclosure and Collection from Olian Johnson, Jr. and Daisey R.C. Johnson, to Elizabeth H. Hardiman

EX PARTE

* * * * *

NO. 11,296 CHANCERY

IN THE CIRCUIT COURT

FOR SOMERSET COUNTY,

STATE OF MARYLAND

STATEMENT OF MORTGAGE DEBT
AND
MILITARY AFFIDAVIT

STATE OF MARYLAND,
COUNTY OF SOMERSET

ON THIS, the 27 day of April, 1982, before me, the undersigned officer, personally appeared Elizabeth H. Hardiman and made oath in due form of law that there is due and owing on said mortgage the principal sum of Six Thousand Five Hundred Seventeen Dollars and Fifty-five Cents ($6,517.55), together with interest at the rate of eight per centum (8%) per annum from November 23, 1980, and the said Elizabeth H. Hardiman did further make oath in due form of law that she has personal knowledge that the said Olian Johnson, Jr. and Daisey R.C. Johnson, the Mortgagors in the above entitled cause, are not in military service of the United States of America and that they have not been in military service of the United States of America during the thirty (30) day period immediately preceding the making of this affidavit.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Dru Vanderwende
Notary Public

DRU VANDERWENDE NOTARY PUBLIC Wicomico County, Md.

My commission expires:
July 1, 1982

LAW OFFICES
G. DONALD SMITH
SUITE 308
106 DOWNTOWN PLAZA
SALISBURY, MD 21801
742-0445

G. DONALD SMITH, Assignee for Purpose of Foreclosure and Collection from Olian Johnson, Jr. and Daisey R.C. Johnson, to Elizabeth H. Hardiman

EX PARTE

* * * * * * * * * *

NO. 11,296 CHANCERY

IN THE CIRCUIT COURT

FOR SOMERSET COUNTY,

STATE OF MARYLAND

LIBER 048 PAGE 268

AFFIDAVIT OF NOTICE TO MORTGAGOR PURSUANT TO RULE W74a2(b)

STATE OF MARYLAND
COUNTY OF SOMERSET:

I, G. Donald Smith, Assignee for Purpose of Foreclosure and Collection of the mortgage filed for foreclosure in the above proceeding, make oath that the following facts are true to the best of my knowledge, information and belief.

1. I mailed, by registered mail, a notice of the time, place and terms of sale to Olian Johnson, Jr. and Daisey R.C. Johnson, 405 Antioch Avenue, Princess Anne, Maryland 21853. Receipt from the Post Office for said notice sent by registered mail is attached hereto.

G. Donald Smith
G. Donald Smith, Assignee for Purpose of Foreclosure and Collection

Subscribed and sworn to before me this 27th day of May 1982.

Dawn M. Banks
Notary Public

My commission expires:
July 1, 1982

LAW OFFICES
G. DONALD SMITH
SUITE 303
106 DOWNTOWN PLAZA
SALISBURY, MD 21801
742-0448

P06 2653538

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO
Mr. & Mrs. Olian Johnson, Jr
STREET AND NO.
405 Antioch Avenue
P.O., STATE AND ZIP CODE
Princess Anne, MD 21853

POSTAGE		$ 20
CONSULT POSTMASTER FOR FEES — CERTIFIED FEE		75¢
OPTIONAL SERVICES — SPECIAL DELIVERY		¢
OPTIONAL SERVICES — RESTRICTED DELIVERY		¢
RETURN RECEIPT SERVICE — SHOW TO WHOM AND DATE DELIVERED		60¢
RETURN RECEIPT SERVICE — SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY		¢
RETURN RECEIPT SERVICE — SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY		¢
RETURN RECEIPT SERVICE — SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY		¢
TOTAL POSTAGE AND FEES		$1.55
POSTMARK OR DATE		

SALISBURY, MD. MAIN STA. USPO MAY 25 1982

PS Form 3800, Apr. 1976

PS Form 3811, Jan 1975

SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)
   - ☐ Show to whom and date delivered.....¢
   - ☐ Show to whom, date and address of delivery.....¢
   - ☒ RESTRICTED DELIVERY
     Show to whom and date delivered.....¢
   - ☐ RESTRICTED DELIVERY.
     Show to whom, date, and address of delivery.$____

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Mr. & Mrs. Olian Johnson, Jr.
405 Antioch Avenue
Princess Anne, MD 21853

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	P06 2653538	

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐Addressee ☐Authorized agent

4. DATE OF DELIVERY
5-26-82

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

POSTMARK PRINCESS ANNE, MD. MAY 26 1982

CLERK'S INITIALS
Bmc

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

☆GPO : 1979-300-409

LIBER 048 PAGE 269

G. DONALD SMITH, Assignee for Purpose of Foreclosure and Collection from Olian Johnson, Jr. and Daisey R.C. Johnson, to Elizabeth H. Hardiman	*	NO. 11,296 CHANCERY
	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COUNTY,
	*	STATE OF MARYLAND
EX PARTE	*	

* * * * *

REPORT OF SALE, ORDER NISI
AND FINAL ORDER OF RATIFICATION

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Sale of G. Donald Smith, Assignee for Purpose of Foreclosure and Collection in the above entitled cause to make sale of the fee simple property located on the South side of Antioch Avenue Extended, in Fairhaven Subdivision, in East Princess Anne Election District, Somerset County, State of Maryland, in the proceedings in said cause mentioned, respectfully shows:

That after giving bond with corporate surety for the faithful discharge of their duties as prescribed, and having given notice of the time, place, manner and terms of sale by advertisement inserted in The Daily Times, a newspaper published in Wicomico County and The Marylander And Herald, a newspaper published in Somerset County for more than three (3) successive weeks preceding the date of sale, as will more fully appear by reference to the certificate of publication of said advertisement attached hereto and made a part hereof, said Assignee did, pursuant to said notice, on Friday, June 4, 1982, at 1:30 o'clock p.m., Eastern Standard Time, attend at the front door of the Court House in Princess Anne, Somerset County, Maryland, and did then and there proceed to sell said property mentioned in said proceedings in the manner following, that is to say:

The said Assignee, under and by virtue of said authority offered at public sale, to the highest bidder, the hereinafter described property:

> "All that lot or parcel of land situate in East Princess Anne Election District, Somerset County and State of Maryland, near the Town of Princess Anne, lying and binding on the south side of Antioch Avenue Extended opposite the land or development known as Fairhaven Subdivision, bounded on the east and south by lands owned or formerly owned by Harry Muir and on the west by the lands owned or formerly owned by Fred Gordy, said lot being forty feet by one hundred fifty feet (40' x 150'), and being the same and all the land which was conveyed unto Olian Johnson, Jr. and Daisey R.C. Johnson, his wife, as tenants by the entireties, by Elizabeth H. Hardiman by deed dated June 23, 1975 and recorded among the Land Records of Somerset County, Maryland in Liber I.T.P. No. 287, Folio 617."

LAW OFFICES
G. DONALD SMITH
SUITE 305
106 DOWNTOWN PLAZA
SALISBURY, MD 21801
742-0445

And said Assignee sold the same unto Earl G. Warwick at and for the sum of Five Thousand One Hundred Dollars ($5,100.00), he being at that sum the highest bidder therefor, and the said purchaser has complied with the terms of sale by making a deposit of One Thousand Dollars ($1,000.00) by certified check and executing a contract to pay the balance of Four Thousand One Hundred Dollars ($4,100.00), together with interest thereon at the rate of ten per centum (10%) per annum, upon final ratification of said sale.

Respectfully submitted,

G. Donald Smith

G. Donald Smith
ASSIGNEE

STATE OF MARYLAND,
COUNTY OF WICOMICO:

I HEREBY CERTIFY that on this 11th day of June, 1982, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared G. Donald Smith, Assignee named in the aforegoing Report of Sale, and made oath in due form of law that the matters and facts stated in said Report are true and correct to the best of their knowledge and belief and that the sale therein reported was fairly made.

AS WITNESS my hand and Notarial Seal the day and year first above written.

Dawn M. Banks

Dawn M. Banks
Notary Public

DAWN M. BANKS NOTARY PUBLIC WICOMICO CO., MD.

My commission expires:
July 1, 1982

LIBER 048 PAGE 271

LAW OFFICES
G. DONALD SMITH
SUITE 305
109 DOWNTOWN PLAZA
SALISBURY, MD 21801
742-0445

ORDER NISI

ORDERED by the Circuit Court for Somerset County, State of Maryland, in Equity, this 14 day of June, in the year Nineteen Hundred and Eighty-two, that the sale of the property mentioned in these proceedings made and reported by G. Donald Smith, Assignee, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 14 day of July, 1982, provided a copy of this Order be inserted in some newspaper published in Somerset County once in each of three (3) successive weeks before the 9 day of July, 1982.

The Report states the amount of sale to be Five Thousand One Hundred Dollars ($5,100.00).

I. Theodore Phoebus, Clerk

FINAL ORDER OF RATIFICATION

ORDERED by the Circuit Court for Somerset County, Maryland, in Equity, this 19th day of July, 1982, that the sale of the real estate mentioned in the aforegoing Report made by G. Donald Smith, Assignee, be and the same is hereby finally ratified and confirmed, no cause to the contrary thereof having been shown, although due notice thereof appears to have been given in accordance with the Order Nisi passed in said cause.

JUDGE

LAW OFFICES
G. DONALD SMITH
SUITE 308
106 DOWNTOWN PLAZA
SALISBURY, MD 21801
742-0445

G. DONALD SMITH, Assignee for Purpose of Foreclosure and Collection from Olian Johnson, Jr. and Daisey R.C. Johnson, to Elizabeth H. Hardiman	*	NO. 11,296 CHANCERY
	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COUNTY,
	*	STATE OF MARYLAND
EX PARTE		

* * * * *

AFFIDAVIT BY PURCHASER

STATE OF MARYLAND,
COUNTY OF WICOMICO

I HEREBY CERTIFY that on this 4th day of June, in the year Nineteen Hundred and Eighty-two, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Earl G. Warwick ------- ---------- and made oath in due form of law as follows:

1. That I/we attended the public sale of the property described in the mortgage filed in these proceedings held in Princess Anne, Maryland, on June 4, 1982, and purchased the same for the sum of Five Thousand One Hundred Dollars ($5,100.00) ---------- and that I was acting for myself as principal in making said purchase.

2. That no other persons, firms or corporations are interested, as principals, or otherwise, in said purchase.

3. That I did not directly or indirectly, discourage anyone from bidding for said property.

Earl Gobb Warwick

SUBSCRIBED AND SWORN TO
before me this 4th day of
June, A.D., 1982.

Dawn M. Banks
Notary Public

DAWN M. BANKS
NOTARY PUBLIC
Wicomico Co. Md.

LAW OFFICES
G. DONALD SMITH
SUITE 306
106 DOWNTOWN PLAZA
SALISBURY, MD. 21801
742-0445

My commission expires:
July 1, 1982

LIBER 048 PAGE 273

LIBER 048 PAGE 274

PRINCESS ANNE, MD., June 7 1982

This is to certify that the annexed Notice

has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Notice

Dates Inserted: May 20, 27 June 3 1982

Bryan Byrd

Business Manager MARYLANDER and HERALD

G. Donald Smith
106 Downtown Plaza
Suite 305
Salisbury, Maryland 21801

ASSIGNEES SALE OF VALUABLE HOUSE AND LOT ON THE SOUTH SIDE OF ANTIOCH AVENUE EXTENDED IN FAIRHAVEN SUBDIVISION, IN EAST PRINCESS ANNE ELECTION DISTRICT, SOMERSET COUNTY, MARYLAND

Under and by virtue of the power of sale contained in a mortgage from Olian Johnson, Jr. and Daisey R. C. Johnson, his wife, dated June 23, 1975 and recorded among the Land Records of Somerset County, State of Maryland in Liber I.T.P. No. 286, Folio 619, and duly assigned unto the undersigned Assignee for the purpose of foreclosure and collection, default having occurred therein, said Assignee will offer for sale at public auction at the Somerset County Courthouse in Princess Anne, Maryland on

FRIDAY, JUNE 4, 1982
at 1:30 P.M.

All that lot or parcel of land situate in East Princess Anne Election District, Somerset County and State of Maryland, near the Town of Princess Anne, lying and binding on the south side of Antioch Avenue Extended opposite the land or development known as Fairhaven Subdivision, bounded on the east and south by lands owned or formerly owned by Harry Muir and on the west by the lands owned or formerly owned by Fred Gordy, said lot being forty feet by one hundred fifty feet (40' x 150'), and being the same and all the land which was conveyed unto Olian Joynson, Jr. and Daisey R. C. Johnson, his wife, as tenants by the entireties, by Elizabeth H. Hardiman by deed dated June 23, 1975 and recorded among the Land Records of Somerset County, Maryland in Liber I.T.P. No. 287, Folio 617.

This 40 x 150 foot lot is improved by a two-story, eight room house of brick—block construction with frame siding and asbestos roofing.

TERMS OF SALE: A deposit of One Thousand Dollars ($1,000.00) cash or certified check will be required of the purchaser at the time and place of sale; balance in cash upon final settlement, interest to be paid on unpaid purchase money at the rate of ten per centum (10%) per annum from date of sale to date of settlement. All taxes to be adjusted as the date of sale. Costs of title examination, documentary stamps, transfer taxes and preparation of title papers to be at purchasers expense.

G. Donald Smith
ASSIGNEE

3 tc 5/20

G. Donald Smith, Assignee for Purpose of Foreclosure and Collection from Olian Johnson, Jr. and Daisey R. C. Johnson, to Elizabeth H. Hardiman

EX PARTE
NO. 11,296
CHANCERY
IN THE
CIRCUIT COURT
FOR
SOMERSET
COUNTY,
STATE OF
MARYLAND

ORDER NISI

ORDERED by the Circuit Court for Somerset County, State of Maryland, in Equity, this 14 day of June, in the year Nineteen Hundred and Eighty-two, that the sale of the property mentioned in these proceedings made and reported by G. Donald Smith, Assignee, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 14 day of July, 1982, provided a copy of this Order be inserted in some newspaper published in Somerset County once in each of three (3) successive weeks before the 9 day of July, 1982.

The report states the amount of sale to be Five Thousand One Hundred Dollars ($5,100.00).

TRUE COPY, TEST:
I. Theodore
Phoebus, Clerk

3 tc 6/17

PRINCESS ANNE, MD., July 1 1982

This is to certify that the annexed Notice has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Notice

Dates Inserted: June 17, 24, July 1 1982

Business Manager MARYLANDER and HERALD

LIBER 048 PAGE 275

LIBER 048 PAGE 276

G. DONALD SMITH, Assignee for the Purpose of Foreclosure and Collection from Olian Johnson, Jr. and Daisey R.C. Johnson, to Elizabeth H. Hardiman	*	NO. 11,296 CHANCERY IN THE CIRCUIT COURT FOR SOMERSET COUNTY STATE OF MARYLAND

FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he made an examination of the proceedings in the above entitled cause and from them and the list of expenses furnished him therein, states the following Account:

Amount of Sale	$ 5,100.00
Interest from 6/4/82 through 7/26/82	47.18
	$ 5,147.18

Fees, Costs, Expenses, Etc.:

I. Theodore Phoebus, Court Costs		111.00
Wallace Dashiell, Auctioneer		75.00
Marylander and Herald		
Advertising	123.00	
Order Nisi	50.00	173.00
Daily Times, Advertising		102.00
State and County Taxes to 7/28/82		294.05
Town of Princess Anne		
Taxes to 7/28/82		56.40
Logan C. Widdowson, Auditor		65.00
Attorney's fee per mortgage		75.00
Trustee's Commission		
10% of first $3,000 = $300.00		
5% on balance of $2,100 = 105.00		405.00
Sewer Bill		70.00
Somerset County Sanitary Tax		52.11
Notary Fee		1.00
Certified Mail		1.55
Total Fees, Costs, Expenses, Etc.		$1,481.11

Balance to be Distributed		$ 3,666.07
Mortgage Debt	$ 6,517.55	
Interest per diem 1.428 from Nov. 23, 1980 to Aug. 24, 1982.	912.49	
	$ 7,430.04	
Deficit		$ 3,763.97

ALL EXCEPTIONS to said report must be filed within fifteen (15) days of the date of filing; if no exceptions are filed, the Account may be ratified.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing on the date of the filing of the Audit notice of this report to the following parties by regular U.S. mail:

G. Donald Smith, Esquire 106 Downtown Plaza, Suite 305 Salisbury, MD 21801	Olian Johnson P.O. Box 502 Princess Anne, MD 21853	Daisey R.C. Johnson P.O. Box 502 Princess Anne, MD 21853

Logan C. Widdowson, Auditor

Date of Filing: August 24, 1982

LOGAN C. WIDDOWSON
ATTORNEY AT LAW
NORTH SOMERSET AVENUE
PRINCESS ANNE, MD. 21853
651-3800

LCW/gjb
82 # 122
8/24/82

No. 4,296 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 24th day of August, 1982 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the 8th day of September, 1982.

L. Theodore Phoebus
CLERK

No exceptions having been filed, and no cause to the contrary having been shown, IT IS ORDERED by the Circuit Court for Somerset County, in Equity, this 15th day of September, 1982 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

L. Theodore Phoebus
CLERK

OCT 25 1983
Exd.

LIBER 048 PAGE 277

BOOK 048 PAGE 278

FEB 11-81 B 923526D*****10.00
FEB 11-81 B 923525D*****60.00

Bonnie Webster	*	No. 11023 Chancery
Complainant	*	
Vs.	*	
	*	In the Circuit Court for
Henry Grant Jones his heirs and assigns,	*	
and all other persons unknown claiming any	*	
right, title, estate, lien	*	
or interest in the real		Somerset County, Maryland
property described in the	*	
Complaint adverse to Complainant's title thereto	*	
Respondents	*	

BILL OF COMPLAINT QUIA TIMET

To the Honorable, the Judges of Said Court:

The Complainant, Bonnie Webster, by Tony Bruce of Jones & Jones, her attorneys represents:

1. That the Complainant is the owner in fee simple of a certain tract or parcel of land in Tangier Election District, Somerset County, Maryland, depicted on Somerset County Tax Map No. 20 in Block 7 as Parcels 210 & 211 containing one acre more or less.

2. That the Complainant has had exclusive, complete, actual, open, notorious, hostile and continuous undisputed possession of said land for more than twenty years and that Complainant is now in possession of said property.

3. That the property is assessed to Henry Grant Jones who acquired same by deed dated June 13, 1904 recorded among the Land Records of Somerset County in Liber O.T.B. No. 39, folio 300 et seq., by deed dated October 23, 1919 recorded in Liber W.J.S. No. 79 at folio 473 et seq., but abandoned said property. Said assessment represents a claim of interest in said property adverse to Complainant. Any such claim is without any right although it be a denial or dispute of Complainant's title.

4. That there is now pending no action at law or any proceeding in equity to enforce the validity of such title, lien, encumbrance, defect or other adverse claim.

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

Wherefore, Complainant prays as follows:

A. That Respondent and all persons claiming under him; and other persons claiming any interest in said property be required to set forth the nature of their claims to the real property described in the Bill of Complaint.

B. For a decree of this Court that the Complainant has absolute ownership and right of disposition of the property described in the Bill of Complaint.

C. For said decree to permanently enjoin Respondent and all persons claiming under the, and all other persons, from asserting any claim, estate, right, title, lien or interest in or to said property or any part thereof adverse to the Complainant's by any action at law or otherwise.

D. That a Trustee be appointed to convey good and marketable fee simple title to Complainant.

E. That the Complainant be awarded the costs of this proceeding.

May it please your Honor to grant an Order of Publication setting forth the nature and content of this Bill of Complaint and commanding all persons claiming any interest in said property be required to set forth the nature of their claims to the real estate described in the Bill of Complaint and to demand them to appear and be in this Court at some certain day to be named therein and answer the premises and abide by and perform such decree as may be passed therein.

And as in duty bound,

Stella Bonnie Webster
Bonnie Webster
Complainant

JONES & JONES

By Tony Bruce
Tony Bruce
Attorneys for Complainant
Princess Anne, Maryland
Telephone: 651-2747

BOOK 048 PAGE 280

Bonnie Webster Complainant Vs. Henry Grant Jones his heirs and assigns, and all other persons unknown claiming any right, title, estate, lien or interest in the real property described in the Complaint adverse to Complainant's title thereto Respondents	* * * * * * * * * * * * *	No. 11023 Chancery In the Circuit Court for Somerset County, Maryland

PETITION TO PROCEED AGAINST RESPONDENT AS NON-RESIDENT

The Petition of your Complainant, by Jones & Jones, her solicitors, respectfully represents:

That your Complainant caused a diligent search of the land, court and testamentary records of Somerset County to be made which failed to determine whether Henry Grant Jones (who is believed to be deceased) or his heirs are residents of this State. Complainant is without knowledge as to where to direct service to be made nor to whom.

Wherefore, the Petitioner, your Complainant herein, prays an Order of this Court that the Respondents be proceeded against as non-residents as provided in the Maryland Rules of Procedure in such cases provided giving notice of the pendency of the above entitled action by publication.

JONES & JONES

By: Tony Bruce
Tony Bruce
Solicitors for Petitioner

AFFIDAVIT

I, Tony Bruce, do hereby make affidavit that I have made reasonable and bona fide efforts to determine the heirs of Henry Grant Jones and that as a result of my investigations I believe Henry Grant Jones is deceased and his heirs cannot be served by personal service within this jurisdiction.

Tony Bruce
Tony Bruce

Subscribed to before me this 10th day of February 1981.

Patsy E. Oke Notary Public

Bonnie Webster	*	No. 11023 Chancery
Complainant	*	
Vs.	*	
Henry Grant Jones his heirs and assigns, and all other persons unknown claiming any right, title, estate, lien or interest in the real property described in the Complaint adverse to Complainant's title thereto	*	In the Circuit Court for
	*	Somerset County, Maryland
Respondents	*	

ORDER

Upon the aforegoing Bill of Complaint Quia Timet, it is this 11th day of Feb., 1981, ORDERED by the Circuit Court for Somerset County that the Respondents, Henry Grant Jones, his heirs and assigns and all other persons, be proceeded against as non-residents by giving notice by publication at least once a week in each of three successive weeks in a newspaper published in Somerset County, Maryland, before the 9th day of March, 1981, stating the substance and object of the original Bill and warning the said Respondents to file an initial pleading to said Bill on or before the 11th day of May, 1981, and by posting upon the land pursuant to Rule 111.

Lloyd L. Simpkins
Judge

BOOK 048 PAGE 282

Bonnie Webster	*	No. 11,023 Chancery
Complainant	*	
Vs.	*	
Henry Grant Jones his heirs and assigns, and all other persons unknown claiming any right, title, estate, lien or interest in the real property described in the Complaint adverse to Complainant's title thereto	*	In the Circuit Court for Somerset County, Maryland
Respondents	*	

ORDER OF PUBLICATION

This is to give notice that on the 11th day of Feb., 1981, a Bill of Complaint Quia Timet was filed in the Circuit Court for Somerset County, Maryland, by the Complainant against the Respondents, their heirs and assigns, the whereabouts of whom are unknown.

The Bill alleges that Complainant is the owner of an acre of land in Tangier Election District, Somerset County, Maryland, depicted on Somerset County Tax Map No. 20 in Block 7 as Parcels 210 & 211 containing one acre more or less, being formerly the property of Henry Grant Jones (deed reference O.T.B. No. 39 at folio 300 and Liber W.J.S. No. 79, folio 473); that the property was abandoned and taken up by Complainant and that any lack of record thereof is a denial or dispute of Complainant's title which is without right becasue Complainant and her predecessors have had exclusive, complete, actual, open, notorious, hostile and continuous undisputed possession of said property adverse to Respondent and all other persons for more than twenty years.

The relief prayed in the Bill is substantially as follows:

1. To require Respondent and all persons claiming under them any other persons claiming an interest in said real property to set forth the nature of their claim.

2. To quiet title of said real property in Complainant.

WHEREUPON, it is ordered by the Circuit Court for Somerset County, This 11th day of Feb., 1981, that the Complainant cause a copy of this Order to be inserted in a newspaper published in Somerset County, once a week in each of three successive weeks, before the 9th day of March, 1981, giving notice to the said non-resident Respondent of the object and substance of the Bill and Warning them to show cause, if any there may be, on or before the 11th day of May, 1981, why a decree should not be passed as prayed.

Lloyd L. Simpson
Judge

Tony Bruce
Solicitor
Jones & Jones
Attorneys

Bonnie Webster
Complainant

vs.

Henry Grant Jones
his heirs and assigns, and all other persons unknown claiming any right, title, estate, lien or interest in the real property described in the Complaint adverse to Compainant's title thereto

Respondents

* * * * * * * * * * * * * * * *

No. 11,023 Chancery
In the Circuit Court
for Somerset County, Md.

* * * * * * * * * * * * * * * *

This is to give notice that on the 11th day of February, 1981, a Bill of Complaint Quia Timet was filed in the Circuit Court for Somerset County, Maryland, by the Complainant against the Respondents, their heirs and assigns, the whereabouts of whom are unknown.

The Bill alleges that Complainant is the owner of of [illegible] acre of land in Tangier Election District, Somerset County, Maryland, depicted on Somerset County Tax Map No. 20 in Block 7 as Parcels 210 & 211 containing one acre more or less, being formerly the property of Henry Grant Jones (deed reference O. T. B. No. 39 at folio 300 and Liber W. J. S. No. 79, folio 473); that the property was abandoned and taken up by Complainant and that any lack of record thereof is a denial or dispute of Complainant's title which is without right because Complainant and her predecessors have had exclusive, complete, actual, open, notorious, hostile and continuous undisputed possession of said property adverse to Respondents and all other persons for more than twenty years.

The relief prayed in the Bill is substantially as follows:

1. To require Respondent and all persons claiming under them any other persons claiming an interest in said real property to set forth the nature of their claim.

2. To quiet title of said real property in Complainant.

WHEREUPON, it is ordered by the Circuit Court for Somerset County, This 11th day of February, 1981, that the Complainant cause a copy of this Order to be inserted in a newspaper published in Somerset County, once a week in each of three successive weeks, before the 9th day of March, 1981, giving notice to the said non-resident Respondent of the object and substance of the Bill and Warning them to show cause, if any there may be, on or before the 11th day of May, 1981, why a decree should not be passed as prayed.

LLOYD L. SIMPKINS
Judge

TRUE COPY, TEST:
I. Theodore Phoebus, Clerk

3 tc 2/19

PRINCESS ANNE, MD., Mar. 16 1981

This is to certify that the annexed matter has been published in the MARYLANDER and HERALD, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said matter

Dates Inserted: 2/19, 26 3/5 1981

J. Bryan Long
Business Manager MARYLANDER and HERALD

3 tc 2/19

Bonnie Webster Complainant Vs. Henry Grant Jones his heirs and assigns, and all other persons unknown claiming any right, title, estate, lien or interest in the real property described in the Complaint adverse to Complainant's title thereto Respondents	* * * * * * *	No. 11,023 Chancery In the Circuit Court for Somerset County, Maryland

I certify I did post a copy of the Order of Publication in the above captioned case on February 11, 1981, pursuant to Rule 111.

Thomas N. Fokwell, Jr.
Sheriff

Bonnie Webster	*	No. 11,023 Chancery
Complainant	*	
Vs.	*	
Henry Grant Jones his heirs and assigns, and all other persons unknown claiming any right, title, estate, lien or interest in the real property described in the Complaint adverse to Complainant's title thereto	* * * *	In the Circuit Court for Somerset County, Maryland
Respondents		

To the Honorable, the Judge of said Court:

The petition of Bonnie Webster, the Complainant herein, respectfully shows:

That the Respondents in this cause, have been duly summonsed to appear to the Bill of Complaint in this cause, but have failed to appear to or answer said Bill of Complaint.

The Complainant, therefore prays, that the Bill of Complaint in this cause may be taken pro-confesso against the said Respondents and that the Complainant have leave to take testimony before one of the standing examiners of this Court.

JONES & JONES

By Tony Bruce
Tony Bruce
Solicitors for Complainant

ORDER

It appearing in the above entitled cause that the adult Respondent, Henry Grant Jones, his heirs and assigns, and all other persons unknown, claiming any right, title, estate, lien or interest in the real property described in the complaint adverse to Complainant's ownership, or any cloud upon Complainant's title thereto, have been duly summonsed to appear to the Bill of Complaint, in this cause, but have failed to appear to or answer said Bill of Complaint within the time prescribed by the Rules of this Court.

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

It is thereupon this 4th day of May, in the year nineteen hundred and eighty-one, by the Circuit Court for Somerset County, Maryland, in Equity, ADJUDGED, ORDERED and DECREED that said Bill of Complaint, be and the same is hereby taken pro-confesso against said Respondents.

And it is further ORDERED that the Complainant have leave to take testimony before one of the standing examiners of this Court.

Edward L. Simpkins
Judge

FILED
MAY 4 10 12 AM '81

Bonnie Webster	:	No. 11,023 Chancery
Complainant	:	In the Circuit Court for
vs	:	Somerset County, Maryland
Henry Grant Jones, his heirs and assigns, and all other persons unknown claiming any right, title, estate, lien or interest in the real property described in the Complaint adverse to Complainant's title thereto	:	
Respondent	:	

TESTIMONY

A Decree pro-confesso having been previously filed in this proceeding upon Petition of the Complainant against the Respondent who has failed to appear or to answer the Bill of Complaint filed in this proceeding within the time prescribed by the Rules of Court, therefore:

The following testimony was taken in the above entitled proceeding by me, Logan C. Widdowson, a Standing Examiner of the Circuit Court for Somerset County, Maryland. I do hereby certify that on this 27th day of May, 1981, in the law offices of Jones & Jones, Princess Anne, Maryland, I did take the following testimony, to wit:

Janice Webster Wheatley, a witness of lawful age produced on the part of the Complainant, being first duly sworn, deposes and says:

Int. 1 Please state your name, age, residence and occupation.

Ans. My name is Janice Wheatley. I am 28 years of age. I reside at Elmwood, Princess Anne, Maryland, and I am employed in Somerset County office of the Maryland Department of Assessments and Taxation at Princess Anne, Maryland.

Int. 2 Do you know any of the parties in this case?

Ans. I am the daughter of the Complainant in this proceeding and of the late Earl Webster.

Int. 3 Are you familiar with the land which is the subject of this proceeding?

Ans. Yes. It consists of one acre, more or less, without improvements, lying on the north side of the county road in Chance, Somerset County, Maryland. It adjoins my family's home. The property is depicted on

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

the current Somerset County Tax Map No. 20, in Block 7 as two parcels, numbers 210 and 211 and assessed to Henry Grant Jones as Grant Jones.

Int. 4 How did Mr. Jones acquire title, if you know?

Ans. By deed dated June 13, 1904 recorded among the Land Records of Somerset County in Liber O.T.B. No. 39, folio 300 Eliza Williams, also known as Eliza Jones, conveyed unto William S. Jones, George A. Jones, Henry Grant Jones and Noah T. Williams all that lot or parcel of land in Rock Creek, as Chance was then known, described as "bounded on the South by (the) County Road that leads through Rock Creek, bounded on the West by land owned by William S. Hewitt, on North by ditch dividing this land from land owned by John W. Parks and William Parks, and on East by land owned by Manuel Jones, also part of the Grace Jones property, said to contain one acre, more or less." She reserved a life estate and upon her death title vested in the grantees in fee simple. By deed dated October 23, 1919 and recorded in Liber W.J.S. No. 79 at folio 473. Henry Grant Jones was conveyed the other 3/4 interest by the other owners and their spouses.

Int. 5 Who is in possession of the property and how did they come in possession?

Ans. Henry Grant Jones and his wife, Harriett died in the 1950s. No estate was ever opened on either of them to my knowledge and I know of no heirs. At any rate the property was abandoned. My father began cutting the grass on the property since it was next to his home. He began treating it as his own by maintaining it since he failed to find anyone who could convey the property. When the property went up for sale for non-payment of taxes my parents bought it. The property was never redeemed, but my parents did not understand the proceeding necessary to obtain a deed. Nevertheless, my parents have paid the taxes on the property ever since and have done so for every year since 1961 that I know of.

Int. 6 What relief does your mother seek in this proceeding?

Ans. Since my parents have occupied the property since it was abandoned in the 1950s and their occupation has been exclusive to all others and well publicized in the community, my mother has petitioned the court to declare that title is quieted in her by reason of the exclusive,

actual and visible adverse possession hostile to the world under claim of right by reason of the payment of taxes. The continued assessment of the property to Henry Grant Jones is a claim adverse to her interest. My mother also requests the court to appoint a trustee to convey good and marketable fee simple title to her by deed and to enjoin all persons from asserting a claim inconsistant with that title.

Int. 7 Are there any other porceedings at law or in equity to which this property is subject?

Ans. No. My mother has no other remedy and there are no other proceedings pending or threatened.

COURT QUESTION.

Ans. Nothing further.

Janice Webster Wheatley
Janice Webster Wheatley

There being no further witnesses produced for examination by me, and at the request of attorneys for Complainant, I hereby return the above testimony to Court under my hand and seal and do hereby certify that I read over the testimony verbatim to the witness and thereupon she signed the same in my presence and that all requirements of the Maryland Rules of Procedure relating to such testimony have been complied with.

Given under my hand and seal this 27th day of May, 1981.

Logan C. Widdowson (SEAL)
Logan C. Widdowson, Examiner

FILED
MAY 29 3 27 AM '81

Bonnie Webster	*	No. 11,023 Chancery
Complainant	*	
Vs.		
Henry Grant Jones, his heirs and assigns, and all other persons unknown claiming any right, title, estate, lien or interest in the real property described in the Complaint adverse to Complainant's title thereto	*	In the Circuit Court for Somerset County, Maryland
Respondent	*	

DECREE

The proceedings in the above cause including the Bill of Complaint Quia Timet, the testimony and exhibits having been read and considered and the Court having made its own investigation of the facts and circumstances of this case and having considered the comments of counsel of record for Complainant and it appearing to the Court that the ends of justice would be served by the granting of a decree in favor of Complainant, it is thereupon this 25th day of June, 1981, by the Circuit Court for Somerset County, Maryland, sitting in equity, ADJUDGED, ORDERED and DECREED:

1. That the Complainant, Bonnie Webster, has absolute ownership and the right of disposition of the property described in the Bill of Complaint heretofore filed in this proceeding on behalf of said Complainant, in Tangier Election District, Somerset County, Maryland, consisting of one acre more or less, lying on the North side of the County Road depicted on Somerset County Tax Map No. 20, in Block 7 as Parcels 210 and 211 having been more particularly described in the deeds referred to in the testimony.

2. That the Complainant, Bonnie Webster, has established title to said land by virtue of the exclusive, complete, actual, open, notorious, hostile and continuous undisputed possession of said property by herself, her late husband and by their predecessors in title, adverse to the Respondents and all other

persons for more than twenty years prior to the filing of the Bill of Complaint in this proceeding and as a result have acquired title to said land by adverse possession under the laws of the State of Maryland.

3. That the Respondent, his heirs and assigns, and all persons claiming under them be and they are hereby permanently enjoined from asserting any claim, estate, right, title, lien or interest in or to said property or any part thereof adverse to the said Bonnie Webster or her successors in interest by any action at law or otherwise.

4. That Tony Bruce is appointed Trustee to execute a general warranty deed formally conveying good and merchantable fee simple title unto the Complainant.

Lloyd L. Simkins
Judge

OCT 25 1983
Exd

AMERICAN FINANCE CORPORATION OF SALISBURY n/k/a Security Pacific Finance Corporation of Salisbury 717 South Salisbury Boulevard Salisbury, Maryland 21801 Mortgagee	*	NUMBER 11,178 CHANCERY IN THE CIRCUIT COURT
VS.	*	FOR SOMERSET COUNTY
EUGENE E. CARTER Route 1 Box 549 Crisfield, Maryland 21817	*	STATE OF MARYLAND
AND	*	
LOUISE TYLER TAWES Route 1 Box 549 Crisfield, Maryland 21817 Mortgagors	*	OCT 20-81 B 029667D*****10.00 OCT 20-81 B 029666D*****60.00

* * * * * * * * * * * * *

PETITION TO FORECLOSE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of the Plaintiff respectfully represents:

That the Defendants, Eugene E. Carter and Louise Tyler Tawes executed and delivered a second mortgage on certain real property, dated August 24, 1979, recorded among the Land Records of Somerset County, Maryland in Liber I.T.P. No. 316, Folio 130, et seq, wherein said Mortgagors assented to the passage of a decree for sale of said mortgaged property to take place upon the occurrence of a default on the part of said mortgagors in compliance with the terms of the said mortgage; the original mortgage, as recorded, is filed as a part of this Petition.

Said mortgage is in default for the non-payment of the principal and interest.

And your Petitioner prays that a decree may be passed for the sale of said property in accordance with the terms of said mortgage.

JOHN C. NASON
Banks & Nason, P. A.
216 East Main Street
P.O. Box 44
Salisbury, Maryland 21801
Telephone: (301) 546-4644
Attorney for Plaintiff

LAW OFFICES OF
BANKS & NASON
PROFESSIONAL ASSOCIATION
216 EAST MAIN ST.
SALISBURY, MD.
21801

FOR MORTGAGE SEE LIBER ITP NO. 316 PAGE 130

BOOK 048 PAGE 294

AMERICAN FINANCE CORPORATION OF SALISBURY n/k/a Security Pacific Finance Corporation of Salisbury 717 South Salisbury Boulevard Salisbury, Maryland 21801 Mortgagee	*	NUMBER 11,179 CHANCERY IN THE CIRCUIT COURT
VS.	*	FOR SOMERSET COUNTY
EUGENE E. CARTER Route 1 Box 549 Crisfield, Maryland 21817	*	STATE OF MARYLAND
AND	*	
LOUISE TYLER TAWES Route 1 Box 549 Crisfield, Maryland 21817 Mortgagors	*	

* * * * * * * * * * * * *

STATEMENT OF MORTGAGE DEBT

There is a due and owing under the second mortgage from Eugene E. Carter and Louise Tyler Tawes to American Finance Corporation of Salisbury, n/k/a Security Pacific Finance Corporation of Salisbury, dated August 24, 1979, the sum of $8,083.85 as of October 6, 1981 plus per diem interest due thereafter of $3.34 per day, plus late charges that may accrue.

JOHN C. NASON
Attorney for Mortgagee

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 19TH day of October, 1981, before me, the subscriber, a Notary Public in and for the State of Maryland, personally appeared John C. Nason, who acknowledged himself to be the agent of the Mortgagee in the above cause, and made oath that the aforegoing is a just and true statement of the amount of the mortgage claim under the mortgage filed in said cause now remaining due and unpaid.

WITNESS my hand and Notarial Seal.

NOTARY PUBLIC
My Commission Expires: 7/1/82

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PROFESSIONAL ASSOCIATION
216 EAST MAIN ST.
SALISBURY, MD.
21801

AMERICAN FINANCE CORPORATION OF SALISBURY n/k/a Security Pacific Finance Corporation of Salisbury 717 South Salisbury Boulevard Salisbury, Maryland 21801 Mortgagee	* * * * *	NUMBER 11,178 CHANCERY IN THE CIRCUIT COURT
VS.	*	FOR SOMERSET COUNTY
EUGENE E. CARTER Route 1 Box 549 Crisfield, Maryland 21817	* *	STATE OF MARYLAND
AND	*	
LOUISE TYLER TAWES Route 1 Box 549 Crisfield, Maryland 21817 Mortgagors	* * *	

* * * * * * * * * * * * *

MILITARY AFFIDAVIT

STATE OF MARYLAND, COUNTY OF SOMERSET:

I HEREBY CERTIFY, that before me, the subscriber, a Notary Public of said State, in and for said County, personally appeared Richard Weber, Manager of American Finance Corporation of Salisbury, n/k/a Security Pacific Finance Corporation of Salisbury, Salisbury, Maryland, and make oath in due form of law that he knows the Defendants herein, Eugene E. Carter and Louise Tyler Tawes and that to the best of his information, knowledge and belief:

(1) Said defendants are not in the military service of the United States.

(2) Said defendants are not in the military service of any nation allied with the United States.

(3) Said defendants have not been ordered to report for induction under the Selective Training and Service Act of 1940 as amended.

(4) Said defendants are not a member of the Enlisted Reserve Corps who have been ordered to report for military service.

Richard Weber
RICHARD WEBER, Affiant

Subscribed and Sworn to before me
this 19th day of October, 1981

Joan P. Barrett
NOTARY PUBLIC
My Commission Expires:

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SALISBURY, MD.
21801

BOOK 048 PAGE 296

AMERICAN FINANCE CORPORATION OF SALISBURY n/k/a Security Pacific Finance Corporation of Salisbury 717 South Salisbury Boulevard Salisbury, Maryland 21801	*	NUMBER 11,178 CHANCERY
	*	
	*	IN THE CIRCUIT COURT
Mortgagee	*	
VS.	*	FOR SOMERSET COUNTY
EUGENE E. CARTER Route 1 Box 549 Crisfield, Maryland 21817	*	STATE OF MARYLAND
AND	*	
LOUISE TYLER TAWES Route 1 Box 549 Crisfield, Maryland 21817	*	
Mortgagors	*	

* * * * * * * * * * * * *

DECREE FOR SALE OF MORTGAGE PREMISES

The Petition and Exhibits in the above cause having been submitted, the proceedings therein were by the Court read and considered:

It is, thereupon, this 21st day of Oct., in the year nineteen hundred and eighty-one, by the Circuit Court for Somerset County, ADJUDGED, ORDERED AND DECREED, that the mortgaged property in the proceedings mentioned be sold, at or after any one of the periods limited in the mortgage filed for the forfeiture of said mortgage; and that John C. Nason be and he is hereby appointed Trustee to make said sale, and that the course and manner of the proceedings shall be as follows: He shall file with the Clerk of Court a Bond to the State of Maryland, executed by himself and a corporate surety or sureties to be approved by this Court, or by the Clerk thereof, in the penalty of Eighty one hundred ($8,100.00) Dollars, conditioned for the faithful performance of the trust reposed in him by this decree, or to be reposed in him by any future Decree of Order in the premises: He shall then proceed to make the said sale, having given notice by advertisement, inserted in such daily newspaper or newspapers published at least once in each week for three successive weeks, the first such publication to be not less that fifteen days prior to sale and the last such publication to be not more than one week prior to sale (Md. Rule W74 (a) (b) (c)) of the time, place, manner and terms of sale, which shall be a cash deposit or certified check deposit of Five Thousand Dollars ($5,000) at the time of sale,

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216 EAST MAIN ST.
SALISBURY, MD.
21801

the balance in cash upon final settlement, interest to be paid on unpaid purchase money at the rate of twelve percent (12%) per annum from the date of sale to the date of settlement; with all taxes to be adjusted to the date of sale and all costs of title examination, documentary stamps, transfer taxes and preparation of title papers to be at the expense of purchaser; and as soon as may be convenient after any such sale or sales, the said Trustee shall return to this Court a full and particular account of the proceedings relative to the sale; with an affidavit annexed of the truth thereof, and of the fairness of said sale, and on payment of the whole purchase money (and not before), the said Trustee shall by a good and sufficient deed, to be executed, acknowledged and recorded, according to law, convey to the purchaser or purchasers, his, her or their personal representatives and assigns, the property and estate to him, her or them, sold free, clear and discharged from all claims of the parties hereto, Petitioner and Mortgagor and those claiming by, from or under them, or either of them, save and except the holder of the First Mortgage against the said property, and the said Trustee shall make distribution of this Court, after deducting the cost of this suit, and such commission to the said Trustee as this Court shall think proper to allow in consideration of the skill, attention and fidelity wherewith he shall appear to have discharged his trust.

Lloyd L. Simpkins
JUDGE

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PROFESSIONAL ASSOCIATION
216 EAST MAIN ST.
SALISBURY, MD.
21801

BOOK 048 PAGE 298

AMERICAN FINANCE CORPORATION OF SALISBURY n/k/a Security Pacific Finance Corporation of Salisbury 717 South Salisbury Boulevard Salisbury, Maryland 21801 Mortgagee	*	NUMBER 11,178 CHANCERY IN THE CIRCUIT COURT FOR SOMERSET COUNTY STATE OF MARYLAND
VS.	*	
EUGENE E. CARTER Route 1, Box 549 Crisfield, Maryland 21817	*	
AND	*	
LOUISE TYLER TAWES Route 1, Box 549 Crisfield, Maryland 21817	*	
Mortgagors	*	

* * * * * * * * * * * * * * *

MR. CLERK:

Kindly find attached hereto the Bond in the above entitled proceeding.

JOHN C. NASON
Banks and Nason, P. A.
216 East Main Street
Salisbury, Maryland 21801
Telephone: 546-4644

LAW OFFICES OF
BANKS & NASON
PROFESSIONAL ASSOCIATION
216 EAST MAIN ST.
SALISBURY, MD.
21801

Cond Book 11, Page 108 No. 11178 Chancery Case

FIREMAN'S FUND AMERICAN INSURANCE COMPANIES

FIREMAN'S FUND INSURANCE COMPANY
THE AMERICAN INSURANCE COMPANY
NATIONAL SURETY CORPORATION
ASSOCIATED INDEMNITY CORPORATION
AMERICAN AUTOMOBILE INSURANCE COMPANY
HOME OFFICE: SAN FRANCISCO, CALIFORNIA

Bond No. 2560654

MORTGAGEES OR TRUSTEES BOND

KNOW ALL MEN BY THESE PRESENTS, THAT we, John C. Nason, Trustee for the Purpose of Foreclosure,

as principal, and the American Insurance Company, a body corporate, duly incorporated under the laws of the State of New Jersey, as surety, are held and firmly bound unto the STATE OF MARYLAND, in the full and just sum of Eight Thousand One Hundred Dollars and no/cent ($ 8,100.00) Dollars, to be paid to the said State or its certain Attorney, to which payment well and truly to be made and done, we bind ourselves and each of us, our and each of our heirs, executors, administrators, successors or assigns, jointly and severally, firmly by these presents, sealed with our seals and dated this 29th day of October, in the year of our Lord Eight One

WHEREAS, the above bounden John C. Nason, Trustee for the Purpose of Foreclosure

by virtue of the power contained in a mortgage - deed of trust from Eugene E. Carter and Louise Tyler Tawes to American Finance Company of Salisbury

bearing date the ~~Twenty First~~ Twenty Fifth day of ~~December, 1905~~ June, 1926

and recorded among the Land Records of Wicomico County

In Liber No. 145, Folio 210 and

is about to sell the land and premises described in said mortgage - deed of trust, default having been made in the payment of the money as specified, and in the conditions and covenants therein contained.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the above bounden John C. Nason, Trustee for the Purpose of Foreclosure

do and shall well and truly and faithfully perform the trust reposed in

under the mortgage - deed of trust aforesaid, and shall abide by and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of said property, or the proceeds thereof, then the above obligation to be void; otherwise to be and remain in full force and virtue in law.

IN TESTIMONY WHEREOF, the above bounden John C. Nason Trustee for the Purpose of Foreclosure

has - have hereto set his hand and seal and the said body corporate has caused these presents to be duly signed by its duly authorized agent and attorney-in-fact, the day and year first herein above written.

Signed, sealed and delivered in the presence of

Joan Q. Bassett

(SEAL)

BOOK 048 PAGE 299

(SEAL)

THE AMERICAN INSURANCE COMPANY
NAME OF COMPANY

by Vonette L. Hovatter
Attorney-in-fact
Vonette L. Hovatter

As to Surety
Angela D. Gray

360404-11-67

THE WITHIN BOND APPROVED.

PER: L Theodore Gherkins, CLERK.

POWER OF ATTORNEY

THE AMERICAN INSURANCE COMPANY

KNOW ALL MEN BY THESE PRESENTS: Tha[illegible]E AMERICAN INSURANCE COMPANY, a Cor[illegible]tion duly organized and existing under the laws of the State of New Jersey, and having its principal office in the City and County of San Fra[illegible]co, California, has made constituted and appointed, and does by these presents make, constitute and appoint

ROBBIN W. GRAY, ANGELA D. GRAY, CHARLES T. GRAY
and VONETTE L. HOVATTER
jointly or severally

BOOK 048 PAGE 300

SALISBURY, MD

its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, seal, acknowledge and deliver any and all bonds, undertakings, recognizances or other written obligations in the nature thereof ----------

and to bind the Corporation thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate seal of the Corporation and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises.

This power of attorney is granted pursuant to Article VIII, Section 30 and 31 of By-laws of THE AMERICAN INSURANCE COMPANY now in full force and effect:

"Article VIII, *Appointment and Authority Assistant secretaries, and Attorney-in-Fact and Agents to accept Legal Process and Make Appearances*

Section 30, *Appointment*. The Chairman of the Board of Directors, the President, any Vice-President or any other person authorized by the Board of Directors, the Chairman of the Board of Directors, the President or any Vice-President, may, from time to time, appoint Resident Assistant Secretaries and Attorneys-in-Fact to represent and act for and on behalf of the Corporation and Agents to accept legal process and make appearances for and on behalf of the Corporation.

Section 31, *Authority*. The Authority of such Resident Assistant Secretaries, Attorneys-in-Fact, and Agents shall be as prescribed in the instrument evidencing their appointment, and any such appointment and all authority granted thereby may be revoked at any time by the Board of Directors or by any person empowered to make such appointment."

This power of attorney is signed and sealed under and by the authority of the following Resolution adopted by the Board of Directors of THE AMERICAN INSURANCE COMPANY at a meeting duly called and held on the 28th day of September, 1966, and said Resolution has not been amended or repealed:

"RESOLVED that the signature of any Vice-President, Assistant Secretary, and Resident Assistant Secretary of this Corporation, and the seal of this Corporation may be affixed or printed on any power of attorney, on any revocation of any power of attorney, or on any certificate relating thereto, by facsimile, and any power of attorney, any revocation of any power of attorney, or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Corporation."

IN WITNESS WHEREOF, THE AMERICAN INSURANCE COMPANY has caused these presents to be signed by its Vice-President, and its corporate seal to be hereunto affixed this 17th day of November 19 80.

THE AMERICAN INSURANCE COMPANY

By William W. Lauber
Vice-President

STATE OF CALIFORNIA,
CITY AND COUNTY OF SAN FRANCISCO } ss.

On this 17th day of November, 19 80, before me personally came William W. Lauber to me known, who, being by me duly sworn, did depose and say: that he is Vice-President of THE AMERICAN INSURANCE COMPANY, the Corporation described in and which executed the above instrument; that he knows the seal of said Corporation, that the seal affixed to the said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Corporation and that he signed his name thereto by like order.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year herein first above written.

OFFICIAL SEAL
SUSIE K. GILBERT
NOTARY PUBLIC - CALIFORNIA
CITY & COUNTY OF SAN FRANCISCO
My Commission Expires Nov. 17, 1980

Susie K. Gilbert
Notary Public

CERTIFICATE

STATE OF CALIFORNIA,
CITY AND COUNTY OF SAN FRANCISCO } ss.

I, the undersigned, Resident Assistant Secretary of THE AMERICAN INSURANCE COMPANY, a NEW JERSEY Corporation, DO HEREBY CERTIFY that the foregoing and attached POWER OF ATTORNEY remains in full force and has not been revoked, and furthermore that Article VIII, Sections 30 and 31 of the By-laws of the Corporation, and the Resolution of the Board of Directors, set forth in the Power of Attorney, are now in force.

Signed and sealed at the City and County of San Francisco. Dated the 29th day of October 19 81

R. S. Snyder
Resident Assistant Secretary

360711 (HO) — TA — 3-80

Bond Book 11, Page 109

AMERICAN FINANCE CORPORATION OF SALISBURY n/k/a Security Pacific Finance Corporation of Salisbury 717 South Salisbury Boulevard Salisbury, Maryland 21801	*	NUMBER 11,178 CHANCERY
	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COUNTY
Mortgagee	*	STATE OF MARYLAND
VS.	*	
EUGENE E. CARTER Route 1, Box 549 Crisfield, Maryland 21817	*	
AND	*	
LOUISE TYLER TAWES Route 1, Box 549 Crisfield, Maryland 21817	*	
Mortgagors	*	

* * * * * * * * * * * * * *

AFFIDAVIT OF COMPLIANCE

STATE OF MARYLAND, COUNTY OF SOMERSET, TO WIT:

John C. Nason, Trustee in the above referenced case relating to the foreclosure of a mortgage from Eugene E. Carter and Louise Tyler Tawes, to American Finance Corporation of Salisbury, n/k/a Security Pacific Finance Corporation of Salisbury dated August 24, 1979 and recorded among the Land Records of Somerset County, Maryland in Liber I.T.P. No. 316, Folio 130, makes oath and hereby certifies that pursuant to Maryland Rule W74 (a) (2) (c) of the Maryland Rules of Procedure, that he, on November 5, 1981, did send, by certified mail, return receipt requested, to Eugene E. Carter and Louise Tyler Tawes at each of their last known addresses, notice of the time, place and terms of the sale, the same having been sent to them not earlier than twenty (20) days and not later than five (5) before the date of said sale. Attached herewith are copies of the said letters.

JOHN C. NASON
Banks and Nason, P. A.
216 East Main Street
P. O. Box 44
Salisbury, Maryland 21801
Telephone: (301) 546-4644

LAW OFFICES OF
BANKS & NASON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P. O. BOX 44
SALISBURY, MD.
21801

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 20th day of November, 1981, before me, a subscriber, a Notary Public in and for the State and County aforesaid, personally appeared John C. Nason and he made oath in due form of law that the matters and facts hereinabove are true and correct to the best of his knowledge, information and belief.

AS WITNESS my hand and Notarial Seal.

NOTARY PUBLIC
My Commission Expires: 7/1/82

LAW OFFICES OF
BANKS & NASON
PROFESSIONAL ASSOC
216 EAST MAIN ST.
P. O. BOX 44
SALISBURY, MD.
21801

LAW OFFICES OF
BANKS & NASON
PROFESSIONAL ASSOCIATION
216 EAST MAIN STREET
P. O. BOX 44
SALISBURY, MARYLAND 21801

EDWARD G. BANKS, JR.
JOHN C. NASON
H. MICHAEL HICKSON
STEPHANIE J. LANE

TELEPHONE
(301) 546-4644

November 5, 1981

Mr. Eugene E. Carter
Route 1, Box 549
Crisfield, Maryland 21817

Re: American Finance Corporation of Salisbury, n/k/a
Security Pacific Finance Corporation of Salisbury
vs. Eugene E. Carter and Louise Tyler Tawes

Dear Mr. Carter:

This will give notice in accordance with Maryland Rule W74 that, due to your default in making payments under your mortgage to American Finance Corporation of Salisbury, n/k/a Security Pacific Finance Corporation of Salisbury, dated August 24, 1979, foreclosure proceedings have been filed in the Circuit Court for Somerset County. Pursuant to Order of Court, I will sell, as Trustee, on Monday, November 23, 1981 at 2:00 P.M., the real property mentioned in said mortgage, the same being known as Route 1, Box 549, Crisfield, Maryland, said real property being more fully described in a Deed from Prentiss W. Evans, Trustee, to Louise Tyler Tawes, and J. Ellis Tawes, her husband, and recorded among the Land Records in Liber B.L.B No. 145, Folio 210, et seq.

Sale will be held on the above premises located at Route 1, Box 549 in Crisfield, Somerset County, Maryland. The terms of sale will be cash or certified check with a deposit of Five Thousand Dollars ($5,000.00), and with the balance to be paid in cash or certified check upon the final ratification of sale by the Circuit Court for Somerset County, Maryland the credit payment to bear interest from the date of sale at the rate of twelve percent (12%) per annum.

A copy of the sale ad is enclosed for your reference.

Thank you for your kind cooperation in this matter.

Very truly yours,

John C. Nason

JCN/jqb

Enclosure

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

LAW OFFICES OF
BANKS & NASON
PROFESSIONAL ASSOCIATION
216 EAST MAIN STREET
P. O. BOX 44
SALISBURY, MARYLAND 21801

EDWARD G. BANKS, JR.
JOHN C. NASON
H. MICHAEL HICKSON
STEPHANIE J. LANE

TELEPHONE
(301) 546-4644

November 5, 1981

BOOK 048 PAGE 304

Mrs. Louise Tyler Tawes Carter
Route 1, Box 549
Crisfield, Maryland 21817

Re: American Finance Corporation of Salisbury, n/k/a
Security Pacific Finance Corporation of Salisbury
vs. Eugene E. Carter and Louise Tyler Tawes

Dear Mrs. Carter:

This will give notice in accordance with Maryland Rule W74 that, due to your default in making payments under your mortgage to American Finance Corporation of Salisbury, n/k/a Security Pacific Finance Corporation of Salisbury, dated August 24, 1979, foreclosure proceedings have been filed in the Circuit Court for Somerset County. Pursuant to Order of Court, I will sell, as Trustee, on Monday, November 23, 1981 at 2:00 P.M., the real property mentioned in said mortgage, the same being known as Route 1, Box 549, Crisfield, Maryland, said real property being more fully described in a Deed from Prentiss W. Evans, Trustee, to Louise Tyler Tawes, and J. Ellis Tawes, her husband, and recorded among the Land Records in Liber B.L.B No. 145, Folio 210, et seq.

Sale will be held on the above premises located at Route 1, Box 549 in Crisfield, Somerset County, Maryland. The terms of sale will be cash or certified check with a deposit of Five Thousand Dollars ($5,000.00), and with the balance to be paid in cash or certified check upon the final ratification of sale by the Circuit Court for Somerset County, Maryland the credit payment to bear interest from the date of sale at the rate of twelve percent (12%) per annum.

A copy of the sale ad is enclosed for your reference.

Thank you for your kind cooperation in this matter.

Very truly yours,

John C. Nason

JCN/jqb

Enclosure

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

AMERICAN FINANCE CORPORATION OF SALISBURY n/k/a Security Pacific Finance Corporation of Salisbury 717 South Salisbury Boulevard Salisbury, Maryland 21801 Mortgagee	*	NUMBER 11,178 CHANCERY IN THE CIRCUIT COURT
VS.	*	FOR SOMERSET COUNTY
EUGENE E. CARTER Route 1 Box 549 Crisfield, Maryland 21817	*	STATE OF MARYLAND
AND	*	
LOUISE TYLER TAWES Route 1 Box 549 Crisfield, Maryland 21817 Mortgagors	*	

* * * * * * * * * * * * *

AFFIDAVIT BY PURCHASER

STATE OF MARYLAND, ~~SOMERSET~~ Wicomico COUNTY, TO WIT:

I, Richard N. Weber do hereby make oath in due form of law that I/~~we~~ have purchased as Agent for Security Pacific Finance Corporation of Salisbury the property fully set forth in these proceedings at and for the sum of $4,100.00 (Four Thousand One Hundred Dollars) and that I/~~we~~ ~~were~~ was acting solely as the Agent of/for said Security Pacific Finance Corporation of Salisbury in bidding on said property and that I/~~we~~ have not directly or indirectly discouraged anyone from bidding for said property.

Richard N. Weber
Richard N. Weber, Agent for
Security Pac. Pic Finance Corp

Subscribed and sworn to before me, this 23RD day of NOVEMBER, 1981.

Joan Q. Bassett
NOTARY PUBLIC
My Commission Expires:

NOTARY PUBLIC

LAW OFFICES OF
BANKS & NASON
PROFESSIONAL ASSOCIATION
216 EAST MAIN ST.
SALISBURY, MD.
21801

BOOK 048 PAGE 305

BOOK 048 PAGE 306

AMERICAN FINANCE CORPORATION OF SALISBURY N/K/A Security Pacific Finance Corporation of Salisbury 717 South Salisbury Boulevard Salisbury, Maryland 21801	*	NUMBER 11,178 CHANCERY IN THE CIRCUIT COURT FOR SOMERSET COUNTY STATE OF MARYLAND
Mortgagee	*	
VS.	*	
EUGENE E. CARTER Route 1, Box 549 Crisfield, Maryland 21817	*	
AND	*	
LOUISE TYLER TAWES Route 1, Box 549 Crisfield, Maryland 21817	*	
Mortgagors	*	

* * * * * * * * * * * * * *

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The report of John C. Nason, Trustee for the purpose of foreclosure and collection in the above entitled cause, respectfully states as follows:

1. That after giving bond with security approved by the Clerk of said Court for the faithful performance of his trust, and having complied with all prerequisites as required by law, and having given notice of the time, place, manner and terms of sale by advertisement in the Crisfield Times, Inc., a newspaper published in Somerset County, Maryland, once each week for three successive weeks before the day of sale, beginning on November 5, 1981, as will appear by reference to the Certificate of Publication attached hereto, he did, pursuant to said Notice, attend said sale conducted on the premises of the mortgaged property on Route 1, Box 549, Crisfield, Maryland, on Monday, November 23, 1981 at or about the hour of 2:00 P.M., and then and there did offer for sale the following described real estate to the highest bidder:

Item First: All that lot or parcel of land in said Asbury District, County and State as aforesaid, containing one and one-half acres, more or less, being the same and all the real estate and premises conveyed unto William E. Tyler by Andrew J. Sterling and wife by deed dated June 25, 1926 and recorded among the land records of said Somerset County, and

Item Second: All that lot or parcel of land in said Asbury District, County and State aforesaid, on the West side of the County Road leading to

LAW OFFICES OF
BANKS & NASON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P. O. BOX 44
SALISBURY, MD.
21801

Jenkins Creek Bridge, being the same and all the real estate and premises conveyed unto said William E. Tyler by John T. Riggin and Louisa Riggin, his wife, by deed dated December 21, 1905 and recorded among the land records of said Somerset County in Liber O.T.B. No. 51, folio 54.

Less so much of the aforesaid real property that was conveyed by Louise T. Carter, et al to Builders Mart, Inc. by Deed dated December 19, 1980 and recorded among the Land Records of Somerset County, Maryland in Liber I.T.P. No. 325, Folio 366, et seq.

Being a part, only, of that property conveyed unto Louise Tyler Tawes, now known as Louise Tyler Tawes Carter, and J. Ellis Tawes, her husband, from Prentiss W. Evans, Trustee by deed dated July 30, 1948 and recorded among the aforesaid Land Records in Liber B.L.B. No. 145, folio 210, et seq.

2. That the said Trustee did sell the above described parcels of land to Richard N. Weber, Agent for Security Pacific Finance Corp. at and for the sum of Four Thousand One Hundred Dollars ($4,100.00) said amount being the highest and best bid for said property and said purchaser having complied with the terms of sale as set forth in the advertisement of sale.

AND AS IN DUTY BOUND, ETC.

Respectfully Submitted,

JOHN C. NASON, Trustee

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 4TH day of December, 1981, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared John C. Nason, Trustee and he made oath in due form of law that the aforegoing matters and facts set forth in the Report of Sale herein are true and correct to the best of his knowledge, information and belief, and that the said sale was fairly made.

AS WITNESS my hand and Notarial Seal.

JOAN C. BASSETT NOTARY PUBLIC

Joan C. Bassett
NOTARY PUBLIC
My Commission Expires: 7/1/82

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BANKS & NASON
PROFESSIONAL ASSOC
216 EAST MAIN ST.
P. O. BOX 44
SALISBURY, MD.
21801

ORDER NISI

BOOK 048 PAGE 308

It is ORDERED by the Circuit Court for Somerset County, State of Maryland, this 7 day of December, 1981, that the sale of the real estate mentioned in these proceedings made and reported by John C. Nason, Trustee, be ratified and confirmed unless cause to the contrary be shown on or before the 7 day of January, 1982 provided a copy of this Order be served in some newspaper published in said Somerset County once in each of three successive weeks before the 1 day of Jan., 1982.

The report states that the real estate mentioned was sold for Four Thousand One Hundred Dollars ($4,100.00).

CLERK OF THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND

FINAL ORDER OF RATIFICATION

ORDERED, by the Circuit Court for Somerset County, State of Maryland, in Equity, this _____ day of _____, 1981, that the sale made and reported by the Trustee as aforesaid, be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown although due notice appears to have been given as required by the Order Nisi passed in said cause and the Trustee is allowed the usual commissions and such proper expenses as he shall produce vouchers therefor.

JUDGE

LAW OFFICES OF
BANKS & NASON
PROFESSIONAL ASSOC
216 EAST MAIN ST.
P. O. BOX 44
SALISBURY, MD.
21801

AMERICAN FINANCE CORPORATION OF SALISBURY n/k/a Security Pacific Finance Corporation of Salisbury 717 South Salisbury Boulevard Salisbury, Maryland 21801	* NUMBER 11,178 CHANCERY * IN THE CIRCUIT COURT * FOR SOMERSET COUNTY
Mortgagee	* STATE OF MARYLAND
VS.	*
EUGENE B. CARTER Route 1, Box 549 Crisfield, Maryland 21817	* *
AND	*
LOUISE TYLER TAWES Route 1, Box 549 Crisfield, Maryland 21817	* *
Mortgagors	*

* * * * * * * * * * * * * *

CERTIFICATE OF PUBLICATION

MR. CLERK:

Attached find the Certificate of Publication in the above captioned case.

JOHN C. NASON
Banks and Nason, P. A.
216 East Main Street
Salisbury, Maryland 21801
546-4644

BOOK 048 PAGE 309

LAW OFFICES OF
BANKS & NASON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P. O. BOX 44
SALISBURY, MD.
21801

BANKS AND NASON, P. A.
[illegible] Main Street
[illegible], Maryland 21801

Trustee's Sale
Of
Residential Property

Rt. 1, Box 349
CRISFIELD
SOMERSET COUNTY
MARYLAND

Pursuant to and by virtue of the Circuit Court for Somerset County, Maryland, Chancery Case Number 11,178, the [illegible] Decree for the sale of mortgaged [illegible] the undersigned Trustee will offer for sale, [illegible] at the premises, Rt 1, Box 349, [illegible], Maryland

MONDAY
November 23, 1981
at or about the hour of
2:00 P.M.

ALL those lots or parcels of land, situate, lying and being in Asbury Election District, Somerset County, State of Maryland, and described as follows, that is to say:

FIRST: All that lot or parcel of land in said Asbury District, County and State aforesaid, containing one and [illegible] acres, more or less, being the same and all the real estate and premises conveyed unto William E. Tyler by Andrew J. Sterling and wife by deed dated June 25, 1[illegible] and recorded among the land records of said Somerset County, and

SECOND: All that lot or parcel of land in said Asbury District, County and State aforesaid, on the West side of the County Road leading to Jenkins Creek Bridge, being the same and all the real estate and premises conveyed unto said William E. Tyler by John T. Riggin and Louise Riggin, his wife, by deed dated December 21, 1[illegible] and recorded among the land records of said Somerset County in Liber O.T.B. No. 41, folio 54.

LESS so much of the aforesaid real property that was conveyed by Louise T. Carter, et al to Builders Mart, Inc. by Deed dated December 19, 1980 and recorded among the Land Records of Somerset County, Maryland in Liber I.T.P. No. 325, folio 366, et seq.

BEING a part only, of that property conveyed unto Louise Tyler Tawes, now known as Louise Tyler Tawes Carter, and J. Ellis Tawes, her husband, from Prestiss W. Evans, Trustee by deed dated July 30, 1948 and recorded among the aforesaid Land Records in Liber B.L.B. No. 165, Folio 210, et seq.

The mortgage being foreclosed upon in this proceeding is subordinate to, and the property being sold hereby is therefore subject to, a first mortgage from Louise Tyler Tawes Carter et vir, to the Peninsula Bank dated May 3, 1978 and recorded among the aforesaid Land Records in Liber I.T.P. No. 307, Folio 57, in the original principal amount of $8,186.40. The pay-off figure for this first mortgage will be announced the day of sale.

This property is improved by a two-story home containing three bedrooms and one bath, living room, dining room, kitchen, as well as other amenitites.

This property will be sold subject to all the covenants, agreements, conditions, easements, rights-of-way and restrictions as may appear among the Land Records of Somerset County, Maryland.

Directions to Sale: Take the first left off Route 413 in Crisfield after the road becomes dual (Somerset Avenue), go .7 of a mile to the first red light, turn left onto Route 380, go 1.7 miles on Route 380 until the said road turns to tar and chip. Then go .6 mile to the subject property, which is a two story white house with red and white awnings on the right side of the road.

TERMS OF SALE: A deposit of Five Thousand Dollars ($5,000.00) in the form of cash or certified check will be required at the time and place of sale from the successful bidder. The balance, in cash or certified check will be required of the purchaser at the time and place of settlement, which shall be conducted and had no later than thirty (30) days following the final ratification of this sale by the Circuit Court for Somerset County, Maryland, and said balance of the unpaid purchase price shall bear interest at the rate of twelve percent (12%) per annum from the date of sale to the date of settlement and shall be secured to the satisfaction of the undersigned Trustee. In the event the successful bidder fails to consumate the purchase in accordance with the terms of sale as herein provided, said deposit, at the option of the Trustee, will be forfeited and applied to the costs and expenses of this sale and the balance, if any, shall be retained by the Trustee as compensation for said sale. Said forfeiture shall not limit any right of the Trustee, or of the holder of the Mortgage being herein foreclosed upon, to further avail themselves of any additional legal or equitable remedies resulting from said failure to consumate the purchase. All taxes, water and sewer charges to be adjusted to the date of sale. All costs of title examination, documentary stamps, transfer taxes and title papers to be at the expense of the purchaser.

The subject property is being sold on an "as is" basis and neither the undersigned Trustee nor the foreclosing mortgage holder make warranties of any type or nature relative to the same.

For further information, please contact the undersigned Trustee.

JOHN C. NASON, Trustee
Banks and Nason, P. A.
216 East Main Street
P. O. Box 44
Salisbury, Maryland 21801
Telephone: 301-546-4644

11-5-3t

LAW OFFICES OF
BANKS & NASON
PROFESSIONAL ASSOC
216 EAST MAIN ST.
P. O. BOX 44
SALISBURY, MD.
21801

CRISFIELD, MD. 11-24- 19 81

THIS is to certify that the annexed Trustee Sale
has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in
said Trustee Sale for 3
weeks beginning with the issue of November 5, 19 81
and ending November 19, 19 81

William A. Martin Jr.
Publisher, THE CRISFIELD TIMES

BOOK 048 PAGE 310

AMERICAN FINANCE CORPORATION OF SALISBURY
n/k/a/ Security Pacific Finance Corporation
of Salisbury
717 South Salisbury Boulevard
Salisbury, Maryland 21801

Mortgagee

VS.

EUGENE B. CARTER
Route 1, Box 549
Crisfield, Maryland 21817

AND

LOUISE TYLER TAWES
Route 1, Box 549
Crisfield, Maryland 21817

Mortgagors

* NUMBER 11,178 CHANCERY

* IN THE CIRCUIT COURT

* FOR SOMERSET COUNTY

* STATE OF MARYLAND

* * * * * * * * * * * * * * * * * *

ORDER NISI

It is Ordered by the Circuit Court for Somerset County, State of Maryland, this 19th day of January, 1982, that the sale of the real estate mentioned in these proceedings made and reported by John C. Nason, Trustee, be ratified and confirmed unless cause to the contrary be shown on or before the 19th day of February, 1982, provided a copy of this Order be inserted in some newspaper published in said Somerset County once in each of three successive weeks before the 15th day of February, 1982.

The Report states that the real estate mentioned was sold for Four Thousand One Hundred Dollars ($4,100.00).

Theodore Phoebus
CLERK OF THE CIRCUIT COURT FOR
SOMERSET COUNTY, MARYLAND

FINAL ORDER OF RATIFICATION

ORDERED, by the Circuit Court for Somerset County, State of Maryland, in Equity, this 24th day of Feb., 1982, that the sale made and reported by the Trustee as aforesaid, be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown although due notice appears to have been given as required by the Order Nisi passed in said cause and the Trustee is allowed the usual commissions and such proper expenses as he shall produce vouchers therefor.

Lloyd L. Simpson
JUDGE

LAW OFFICES OF
BANKS & NASON
PROFESSIONAL ASSOC
216 EAST MAIN ST.
P. O. BOX 44
SALISBURY, MD.
21801

BOOK 048 PAGE 312

MARYLANDER AND HERALD

INCORPORATED

Established In 1826

39 Main Street
Post Office Box 158
Princess Anne, Maryland 21853
Phone: 301-651-2000

John C. Nason, Esquire
Banks and Nason
216 E. Main St.
P.O. Box 44
Salisbury, Md. 21801

TERMS — DUE ON RECEIPT — PAST DUE 30 DAYS — SERVICE CHARGE OVER 60 DAYS

Dec. 10, 17, 24	36½ Report of Sale and Order Nisi 11,178 Chancery American Finance Corp. of Salisbury vs. Eugene E. Carter and Louise Tyler Tawes	$219.00
	SERVICE CHARGE	
	TOTAL	

No *FINANCE CHARGE* on accounts paid within 60 days. A *FINANCE CHARGE* of 1½% will be added to accounts past due 60 days. This is an *ANNUAL PERCENTAGE RATE* of 18%

ERICAN FINANCE CORPORATION
OF SALISBURY
N/K/A Security
Pacific Finance Corporation
of Salisbury
717 South Salisbury Boulevard
Salisbury, Maryland 21801

Mortgagee

vs.

EUGENE E. CARTER
Route 1, Box 549
Crisfield, Maryland 21817

AND

LOUISE TYLER TAWES
Route 1, Box 549
Crisfield, Maryland 21817

Mortgagors

NUMBER 11,178 CHANCERY
IN THE CIRCUIT COURT
FOR SOMERSET COUNTY
STATE OF MARYLAND

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The report of John C. Nason, Trustee for the purpose of foreclosure and collection in the above entitled cause, respectfully states as follows:

1. That after giving bond with security approved by the Clerk of said Court for the faithful performance of his trust, and having complied with all prerequisities as required by law, and having given notice of the time, place, manner and terms of sale by advertisement in the Crisfield Times, Inc., a newspaper published in Somerset County, Maryland, once each week for three successive weeks before the day of sale, beginning on November 5, 1981, as will appear by reference to the Certificate of Publication attached hereto, he did, pursuant to said Notice, attend said sale conducted on the premises of the moftgaged property on Route 1, Box 549, Crisfield, Maryland, on Monday, November 23, 1981 at or about the hour of 2:00 p.m., and then and there did offer for sale the following described real estate to the highest bidder:

Item First: All that lot or parcel of land in said Asbury District, County and State as aforesaid, containing one and one-half acres, more or less, being the same and all the real estate and premises conveyed unto William E. Tyler by Andrew J. Sterling and wife by deed dated June 25, 1926 and recorded among the land records of said Somerset County, and

Item Second: All that lot or parcel of land in said Asbury District, County and State aforesiad, on the West side of the County Road leading to Jenkins Creek Bridge, being the same and all the real estate and premises conveyed unto said William E. Tyler by John T. Riggin and Louisa Riggin, his wife, by deed dated December 21, 1905 and recorded among the land records of said Somerset County in Liber O. T. B. No. 51, folio 54.

Less so much of the aforesaid real property that was conveyed by Louise T. Carter, et al to Builders Mart, Inc. by Deed dated December 19, 1980 and recorded among the Land Records of Somerset County, Maryland in Liber I. T. P. No. 325, Folio 366, et seq.

Being a part, only, of that property conveyed unto Louise Tyler Tawes, now known as Louise Tyler Tawes Carter, and J. Ellis Tawes, her husband, from Prentiss W. Evans, Trustee by deed dated July 30, 1948 and recorded among the aforesaid Land Records in Liber B. L. B. No. 145, folio 210, et seq.

2. That the said Trustee did sell the above described parcels of land to Richard N. Weber, Agent for Security Pacific Finance Corp. at and for the sum of Four Thousand One Hundred Dollars ($4,100.00) said amount being the highest and best bid for said property and said purchaser having complied with the terms of sale as set forth in the advertisement of sale.

AND AS IN DUTY BOUND, ETC.

Respectfully Submitted,
JOHN C. NASON, Trustee

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 4th day of December, 1981, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared John C. Nason, Trustee and he made oath in due form of law that the aforegoing matters and facts set forth in the Report of Sale herein are true and correct to the best of his knowledge, information and belief, and that the said sale was fairly made,

AS WITNESS my hand and Notarial Seal.

Joan Q. Bassett
NOTARY PUBLIC
My Commission
Expires: 7/1/82

ORDER NISI

It is ORDERED by the Circuit Court for Somerset County, State of Maryland, this 7 day of December, 1981, that the sale of the real estate mentioned in these proceedings made and reported by John C. Nason, Trustee, be ratified and confirmed unless cause to the contrary be shown on or before the 7 day of January, 1982, provided a copy of this Order be served in some newspaper published in said Somerset County once in each of three successive weeks before the 1 day of January, 1982.

The report states that the real estate mentioned was sold for Four Thousand One Hundred Dollars ($4,100.00).

CLERK OF THE
CIRCUIT COURT
FOR SOMERSET
COUNTY MARYLAND

TRUE COPY, TEST:
J. Theodore Phoebus, Clerk

3 tc 12 0

PRINCESS ANNE, MD., Dec 5 **1982**

This is to certify that the annexed Notice

has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Notice

Dates Inserted: Nov 10, 17, 24 1981

J Bryan Byrd
Business Manager MARYLANDER and HERALD

BOOK 048 PAGE 313

BOOK 048 PAGE 314

AMERICAN FINANCE CORPORATION OF SALIDBURY n/k/a Security Pacific Finance Corporation of Salisbury 717 South Salisbury Boulevard Salisbury, Maryland 21801 Mortgagee	*	NUMBER 11,178 CHANCERY IN THE CIRCUIT COURT FOR SOMERSET COUNTY STATE OF MARYLAND
VS.	*	
EUGENE B. CARTER Route 1, Box 549 Crisfield, Maryland 21817	*	
AND	*	
LOUISE TYLER TAWES Route 1, Box 549 Crisfield, Maryland 21817	*	
Mortgagors	*	

* * * * * * * * * * * * * *

CERTIFICATION OF PUBLICATION

MR. CLERK:

Attached find the Certificate of Publication in the above captioned case.

JOHN C. NASON
Banks and Nason, P. A.
216 East Main Street
Salisbury, Maryland 21801
Telephone: 301-546-4644

LAW OFFICES OF
BANKS & NASON
PROFESSIONAL ASSOC
216 EAST MAIN ST.
P. O. BOX 44
SALISBURY, MD.
21801

CRISFIELD, MD. Feb. 10 1982

THIS is to certify that the annexed Order Nisi has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order Nisi for 3 weeks beginning with the issue of January 28, 1982 and ending February 11, 1982.

William A. Martin Jr.
Publisher, THE CRISFIELD TIMES

AMERICAN FINANCE CORPORATION OF SALISBURY n/k/a Security Pacific Finance Corporation of Salisbury, 717 South Salisbury Boulevard, Salisbury, Maryland 21801
Mortgagee

VS.

EUGENE B. CARTER
Route 1, Box 549
Crisfield, Maryland 21817

AND

LOUISE TYLER TAWES
Route 1, Box 549
Crisfield, Maryland 21817
Mortgagors

NUMBER 11,178 CHANCERY IN THE CIRCUIT COURT FOR SOMERSET COUNTY, STATE OF MARYLAND

Order Nisi

It is Ordered by the Circuit Court for Somerset County, State of Maryland, this 19th day of January, 1982, that the sale of the real estate mentioned in these proceedings made and reported by John C. Nason, Trustee, be ratified and confirmed unless cause to the contrary be shown on or before the 19th day of February, 1982, provided a copy of this Order be inserted in some newspaper published in said Somerset County once in each of three successive weeks before the 15th day of February, 1982.

The Report states that the real estate mentioned was sold for Four thousand One Hundred Dollars ($4,100.00).

I. Theodore Phoebus
Clerk of the Circuit Court for Somerset County, Maryland.

True Copy, Test:
I. Theodore Phoebus,
Clerk 1-28-3t

LAW OFFICES OF
BANKS & NASON
PROFESSIONAL ASSOC
216 EAST MAIN ST.
P. O. BOX 44
SALISBURY, MD.
21801

BOOK 048 PAGE 315

AMERICAN FINANCE CORPORATION OF SALISBURY	*	IN THE CIRCUIT COURT
Mortgagee	*	FOR SOMERSET COUNTY
vs.	*	STATE OF MARYLAND
EUGENE E. CARTER and LOUISE TYLER TAWES	*	CHANCERY NO. 11, 178
Mortgagors	*	

BOOK 048 PAGE 316

FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he made an examination of the proceedings in the above entitled cause and from thm and the list of expenses furnished him therein, states the following Account:

Amount of Sale		$ 4,100.00
Fees, Costs, Expenses, etc.:		
I. Theodore Phoebus, Court costs	$155.00	
State and County Taxes	86.69	
Nason and Banks, Postage	5.00	
Trustee's Commission-waived	-0-	
John Nason, Attorney's fee in lieu of commission	300.00	
Bond	32.00	
O.J. Brittingham, Auctioneer	125.00	
Crisfield Times, Advertising, Order Nisi, etc.	254.80	
Auditor's Fee	50.00	
Total Fees, Costs, Expenses, etc.	1,008.49	
Balance of Funds for Distribution		3,091.51
Mortgage Debt as of October 6, 1981		8,083.85
Deficit plus interest from October 6, 1981		$ 4992.34

ALL EXCEPTIONS to said report must be filed within fifteen (15) days of the date of filing; if no exceptions are filed, the Account may be ratified.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing on the date of the filing of the Audit notice of this report to the following parties by regular U.S. mail, postage prepaid:

John C. Nason, Esquire
Law Offices of Banks and Nason
216 East Main Street
P.O. Box 44
Salisbury, Maryland 21801

Eugene E. Carter
Rt. #1, Box 549
Crisfield, MD 21817

Louise Tawes
Rt. #1, Box 549
Crisfield, MD 21817

Logan C. Widdowson, Auditor

Date Filed: Apr. 22, 1982

LOGAN C. WIDDOWSON
ATTORNEY AT LAW
NORTH SOMERSET AVENUE
PRINCESS ANNE, MD. 21853
651-3800

LCW/gm
81 # 113

No. 11,178 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 22nd day of April, 19 82 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the 7th day of May, 19 82.

L. Theodore Phoebus
CLERK

No exceptions having been filed, and no cause to the contrary having been shown, IT IS ORDERED by the Circuit Court for Somerset County, in Equity, this _____ day of _____, 19_____ that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

_____
CLERK

AMERICAN FINANCE CORPORATION OF SALISBURY	*	IN THE CIRCUIT COURT
Mortgagee	*	FOR SOMERSET COUNTY
vs.	*	STATE OF MARYLAND
EUGENE F. CARTER and LOUISE TYLER TAWES	*	CHANCERY NO. 11,178
Mortgagors	*	BOOK 048 PAGE 318
	*	

AMENDED SECOND AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he made an examination of the proceedings in the above entitled cause and from them and the list of expenses furnished him therein, states the following Account:

Amount of Sale		$4,100.00
Fees, Costs, Expenses, etc.:		
I. Theodore Phoebus, Court costs	$155.00	
State and County Taxes	86.69	
Nason and Banks, postage	5.00	
Trustee's Commission, waived	-0-	
John Nason, Attorney's fee in lieu of commission	300.00	
Bond	32.00	
O.J. Brittingham, Auctioneer	125.00	
Crisfield Times, Advertising, Order Nisi, etc.	254.80	
Marylander and Herald Report of Sale and and Order Nisi	219.00	
Auditor's fee	50.00	
Total Fees, Costs, Expenses, etc.	1,227.49	
Balance of Funds for Distribution		2,872.51
Mortgage Debt as of October 6, 1981		8,083.85
Deficit plus interest from October 6, 1981		$5,211.34

ALL EXCEPTIONS to said report must be filed within fifteen (15) days of the date of filing; if no exceptions are filed, the Account may be ratified.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing on the date of the filing of the Audit notice of this report to the following parties by regular U.S. mail, postage prepaid:

John C. Nason, Esquire
Law Offices of Banks & Nason
216 East Main Street
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Eugene E. Carter
Rt. #1, Box 549
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Logan C. Widdowson, Auditor

Date Filed: April 26, 1982

LOGAN C. WIDDOWSON
ATTORNEY AT LAW
NORTH SOMERSET AVENUE
PRINCESS ANNE, MD. 21853
651-3800

LCW/gm
81 # 113

No. 11178 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 26th day of April, 19 82 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the 11th day of May, 19 82.

J. Theodore Phoebus
CLERK

No exceptions having been filed, and no cause to the contrary having been shown, IT IS ORDERED by the Circuit Court for Somerset County, in Equity, this 27th day of June, 19 83 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

J. Theodore Phoebus
CLERK

OCT 25 1983
Exd.

FEB 11-81 B 923528D*****10.00
FEB 11-81 B 923527D*****60.00

Jackson Lee Cook	*	No. 11024 Chancery
Complainant	*	
Vs.	*	BOOK 048 PAGE 320
William N. Hayman	*	In the Circuit Court for
Charlotte Hayman, his wife, their heirs and assigns and all other persons unknown claiming any right, title, estate, lien or interest in the real property described in the Complaint	*	Somerset County, Maryland
Respondents	*	
	*	

BILL OF COMPLAINT FOR SALE OF LAND
IN LIEU OF PARTITION

To the Honorable, the Judges of Said Court:

1. That this Bill of Complaint filed pursuant to the provisions of the Real Property Article of the Annotated Code of Maryland, Section 14-107, and pursuant to the Maryland Rules of Procedure.

2. That by deed dated January 6, 1902 recorded among the Land Records of Somerset County in Liber O.T.B. No. 32, folio 220 Rudolph S. Cohn et al conveyed unto William N. Hayman a tract or parcel of land in East Princess Anne Election District, Somerset County, Maryland on the North side of McCormick Swamp Road consisting of 30 acres being laid down and described as Lot No. 12, on a plat by Samuel F. Miles dated April 27, 1891 and July 20, 1896 recorded in Liber O.T.B. No. 32 at folio 222.

3. That William N. Hayman died in or prior to 1907, his wife Charlotte having predeceased him survived by the following children and only heirs at law: Henry Hayman, Joseph Hayman, William H. Hayman, Sr., Ida Niskey, Henrietta Jones, Sarah White, Susan Hitch, Mathias Hayman and Ellen Thomas.

4. That the interest of William H. Hayman, son of William N. Hayman, was conveyed unto Bercher Hayman and Helen Hayman as tenants by the entireties by Warren F. Sterling, successor receiver of the People's Bank by deed dated July 2, 1936 and recorded among the Land Records in Liber J.M.T. No. 110 at folio 564 title to which

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PRINCESS ANNE, MD. 21853

vested in Helen Hayman as surviving tenant upon the death of Bercher Hayman.

5. That Joseph H. Hayman, son and one of the ten heirs at law of William N. Hayman died, having been predeceased by his wife, Hulette, was survived only by his brothers and sisters who were other children of William N. Hayman.

6. That Susan Hitch daughter and one of the ten heirs at law of William N. Hayman died having been predeceased by her husband, Henry Hitch, was survived only by her brothers and sisters who were other children of William N. Hayman.

7. That Ellen Thomas, daughter and one of the ten heirs at law of William N. Hayman died having been predeceased by her husband was survived by her daughter Maude Thomas who subsequently died survived only by her aunts and uncles who were the children of William N. Hayman.

8. That upon the deaths of Joseph H. Hayman, Susan Hitch and Ellen and Maude Thomas, title to the one-tenth interest each of Joseph H. Hayman, Susan Hitch and Ellen Thomas (or a total of three-tenths) vested in the other seven children of William N. Hayman of which William H. Hayman, Sr. was one, each having in the aggregate 4 2/7 % interest as the heir at law of Joseph H. Hayman, Susan Hitch and Maude Thomas.

9. That William H. Hayman, Sr., died predeceased by his wife, Laura and survived by his children, Lucy Jackson, William H. Hayman, Jr., Oliver Hayman, Ida Goldsborough, Fannie Monnie, Joseph W. Hayman, Pierce Hayman (who subsequently died survived by his brothers and sisters) and Bercher Hayman.

10. That upon the death of Bercher Hayman his interest in the aforesaid property as an heir at law of his aunts and uncles vested in his widow, Helen Hayman.

11. That by deed dated May 11, 1979 and recorded in Liber No. Helen Hayman conveyed all her right, title and interest as surviving tenant and as the only heir at law of Bercher Hayman unto your Petitioner the same being an undivided 10 61/100 % interest, in common with others.

12. That the above described property is not susceptible to partition without material loss and injury to the parties entitled to interest therein.

To the end therefore,

(a) That a decree may be passed by this Court for the appointment of a Trustee for the sale of the real estate described in the above petition and a division of the money arising from said sale may be made among the parties and all others entitled to share therein according to their respective rights, after the allowance of such costs and fees as may be approved by this Court and to convey good and marketable fee simple title to the purchaser thereof.

(b) That your orator may have such other and further relief as their case may require.

And as in duty bound.

JONES & JONES

By Tony Bruce
Attorney for Complainant

Jackson Lee Cook
Jackson Lee Cook
Complainant

Jackson Lee Cook	*	No. 11024 Chancery
Complainant	*	
Vs.	*	In the Circuit Court for
William N. Hayman Charlotte Hayman, his wife, their heirs and assigns and all other persons unknown claiming any right, title, estate, lien or interest in the real property described in the Complaint	* * *	Somerset County, Maryland
Respondents	*	

PETITION TO PROCEED AGAINST RESPONDENT AS NON-RESIDENT

The Petition of your Complainant, by Jones & Jones, his solicitors, respectfully represents:

That your Complainant caused a diligent search of the land, court and testamentary records of Somerset County to be made which failed to determine whether the heirs of William N. Hayman or Charlotte Hayman are residents of this State. Many are variously listed as residents of other states and Complainant is without knowledge as to where to direct service to be made nor to whom.

Wherefore, the Petitioner, your Complainant herein, prays an Order of this Court that the Respondents be proceeded against as non-residents as provided in the Maryland Rules of Procedure in such cases provided giving notice of the pendency of the above entitled action by publication.

JONES & JONES

By Tony Bruce
Tony Bruce
Solicitor for Petitioner

BOOK 048 PAGE 323

AFFIDAVIT

I, Tony Bruce, do hereby make affidavit that I have made reasonable and bona fide efforts to determine the heirs of William N. Hayman and Charlotte Hayman and that as a result of my investigations I believe the heirs cannot be served by personal service within this jurisdiction.

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

Tony Bruce
Tony Bruce

Subscribed to before me this 10th day of February, 1981.

Patsy E. Ake
Notary Public

Jackson Lee Cook	*	No. 11,024 Chancery
Complainant	*	
Vs.	*	BOOK 048 PAGE 324
William N. Hayman Charlotte Hayman, his wife, their heirs and assigns and all other persons unknown claiming any right, title, estate, lien or interest in the real property described in the Complaint	* * * * * * *	In the Circuit Court for Somerset County, Maryland
Respondents	*	

ORDER

Upon the aforegoing Bill of Complaint for Sale of Land in Lieu of Partition, it is this 11th day of Feb., 1981, ORDERED by the Circuit Court for Somerset County that the Respondents, William N. Hayman and Charlotte Hayman, his wife, their heirs and assigns and all other persons, be proceeded against as non-residents by giving notice by publication at least once a week in each of three successive weeks in a newspaper published in Somerset County, Maryland, before the 9th day of March, 1981, stating the substance and object of the original Bill and warning the said Respondents to file an initial pleading to said Bill on or before the 11th day of May, 1981, and by posting upon the land pursuant to Rule 111.

Lloyd L. Simpkins
Judge

Jackson Lee Cook	*	No. 11,024 Chancery
Complainant	*	
Vs.	*	In the Circuit Court for
William N. Hayman Charlotte Hayman, his wife, their heirs and assigns and all other persons unknown claiming any right, title, estate, lien or interest in the real property described in the Complaint	*	Somerset County, Maryland
	*	
Respondents	*	

ORDER OF PUBLICATION

This is to give notice that on the 11th day of February, 1981, a Bill of Complaint for Sale of Land in Lieu of Partition was filed in the Circuit Court for Somerset County, Maryland, by the Complainant against the Respondents, their heirs and assigns, the whereabouts of whom are unknown.

The Bill alleges in substance that Complainant is the owner of a 10 and 61/100% interest in a tract of land on the North side of McCormick Swamp Road in East Princess Anne Election District, consisting of thirty acres laid down and described as Lot 12 on a plat by Samuel F. Miles dated April 27, 1891 and July 20, 1896 recorded among the Land Records of Somerset County in Liber O.T.B. No. 32, folio 222 which was conveyed unto William N. Hayman by Rudolph Cohn by deed dated January 6, 1902 recorded in Liber O.T.B. No. 32 at folio 222 title to which vested in the children and only heirs of William N. Hayman upon the death thereof. The Bill further alleges that Complainant is a successor in interest thereto in common with many others who are so numerous that the property is not susceptible to partition without material loss and injury to the parties.

The relief prayed is substantially as follows:

(a) That a decree may be passed by this Court for the appointment of a Trustee for the sale of the real estate described in the above petition and a division of the money arising from said sale may be made among the parties and all others entitled to share therein according to their respective rights, after the allowance

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ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

of such costs and fees as may be approved by this Court and to convey good and marketable fee simple title to the purchaser thereof.

(b) For such other relief as the case may require.

Whereupon it is ORDERED by the Circuit Court for Somerset County this 11th day of February, 1981, that the Complainant cause a copy of this Order to be inserted in a newspaper published in Somerset County once a week in each of three successive weeks before the 9th day of March, 1981, giving notice to the said non resident Respondents of the object and substance of the Bill of Complaint and warning him to show cause, if any there may be, on or before the 11th day of May, 1981, why a decree should not be passed as prayed.

L. Theodore Phoebus
Clerk

Jackson Lee Cook Complainant	:	No. 11,024 Chancery
vs	:	In the Circuit Court for
William N. Hayman and Charlotte Hayman, his wife, their heirs and assigns and all other persons unknown claiming any right, title, estate, lien or interest in the real property described in the Complaint Respondents	:	Somerset County, Maryland

To the Honorable, the Judge of said Court:

Now comes, Mary Corbin and Oliver Hayman, who represent that they are descendants of Respondents, William N. Hayman and Charlotte Hayman and owners of an interest in the real property described in the Bill of Complaint, and do consent to the entry of an order directing the property to be sold and the naming of Tony Bruce of Jones & Jones, as Trustee for that purpose.

Mary Corbin
Mary Corbin

Oliver Hayman
Oliver Hayman

BOOK 048 PAGE 328

PRINCESS ANNE, MD., March 19 81

This is to certify that the annexed Notice

has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Notice

Dates Inserted: 2/19, 26, 3/5

J. Bryan Byrd
Business Manager MARYLANDER and HERALD

(b) For such other relief as the case may require.

Whereupon it is ORDERED by the CIRCUIT Court for Somerset County this 11th day of February, 1981, that the Complainant cause a copy of this Order to be inserted in a newspaper published in Somerset County once a week in each of three successive weeks before the 9th day of March, 1981, giving notice to the said non resident Respondents of the object and substance of the Bill of Complaint and warning him to show cause, if any there may be, on or before the 11th day of May, 1981, why a decree should not be passed as prayed.

I. THEODORE PHOEBUS
Clerk

TRUE COPY, TEST:
Theodore Phoebus, Clerk

3 tc 2/19

Tony Bruce
Solicitor
Jones & Jones
Attorneys

Jackson Lee Cook
Complainant

vs.

William N. Hayman
Charlotte Hayman, his wife, their heirs and assigns and all other persons unknown claiming any right, title, estate, lien or interest in the real property described in the Complaint

Respondents

No. 11,024 Chancery
In the Circuit Court
for Somerset County, Md.

ORDER OF PUBLICATION

This is to give notice that on the 11th day of February, 1981, a Bill of Complaint for Sale of Land in Lieu of Partition was filed in the Circuit Court for Somerset County, Maryland, by the Complainant against the Respondents, their heirs and assigns, the whereabouts of whom are unknown.

The Bill alleges in substance that Complainant is the owner of a 10 and 61/100% interest in a tract of land on the North side of McCormick Swamp Road in East Princess Anne Election District, consisting of thirty acres laid down and described as Lot 12 on a plat by Samuel F. Miles dated April 27, 1891 and July 20, 1896 recorded among the Land Records of Somerset County in Liber O. T. B. No. 32, folio 222 which was conveyed unto William N. Hayman by Rudolph Cohn by deed dated January 6, 1902 recorded in Liber O. T. B. No. 32 at folio 222 title to which vested in the children and only heirs of William N. Hayman upon the death thereof. The Bill further alleges that Complainant is a successor in interest thereto in common with many others who are so numerous that the property is not susceptible to partition without material loss and injury to the parties.

The relief prayed is substantially as follows:

(a) That a decree may be passed by this Court for the appointment of a Trustee for the sale of the real estate described in the above petition and a division of the money arising from said sale may be made among the parties and all others entitled to share therein according to their respective rights, after the allowance of such costs and fees as may be approved by this Court and to convey good and marketable fee simple title to the purchaser thereof.

Jackson Lee Cook Complainant	*	No. 11,024 Chancery
Vs.	*	
William N. Hayman and Charlotte Hayman, his wife, their heirs and assigns and all other persons unknown claiming any right, title, estate, lien or interest in the real property described in the Complaint	*	In the Circuit Court for Somerset County, Maryland
Respondents	*	

I certify I did post a copy of the Order of Publication in the above captioned case on February 11, 1981, pursuant to Rule 111.

Thomas H. Tolliver Jr.
Sheriff

Jackson Lee Cook	*	No. 11,024 Chancery
Complainant		
Vs.	*	BOOK 048 PAGE 330
William N. Hayman and Charlotte Hayman, his wife, their heirs and assigns and all other persons unknown claiming any right, title, estate, lien or interest in the real property described in the Complaint	*	In the Circuit Court for
	*	
	*	Somerset County, Maryland
Respondents	*	

To the Honorable, the Judge of said Court:

The petition of Jackson Lee Cook, the Complainant herein respectfully shows:

That the Respondents in this cause have been duly summonsed to appear to the Bill of Complaint in this cause, but have failed to appear to or answer said Bill of Complaint.

The Complainant, therefore prays, that the Bill of Complaint in this cause may be taken pro-confesso against the said Respondents and that the Complainant have leave to take testimony before one of the standing examiners of this Court.

JONES & JONES

By Tony Bruce
Tony Bruce
Solicitors for Complainant

ORDER

It appearing in the above entitled cause that the adult Respondents, William N. Hayman and Charlotte Hayman, his wife, their heirs and assigns, and all other persons unknown, claiming any right, title, estate, lien or interest in the real property described in the complaint adverse to Complainant's ownership, or any cloud upon Complainant's title thereto, have been duly summonsed to appear to the Bill of Complaint in this cause, but have failed to appear to or answer said Bill of Complaint within the time prescribed by the Rules of this Court.

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

It is thereupon this 4th day of May, in the year nineteen hundred and eighty-one, by the Circuit Court for Somerset County, Maryland, in Equity, ADJUDGED, ORDERED and DECREED that said Bill of Complaint, be and the same is hereby taken pro-confesso against said Respondents.

And it is further ORDERED that the Complainant have leave to take testimony before one of the standing examiners of this Court.

Lloyd L. Smith
Judge

Jackson Lee Cook Complainant	:	No. 11,024 Chancery In the Circuit Court for
vs	:	Somerset County, Maryland
William N. Hayman and Charlotte Hayman, his wife, their heirs and assigns and all other persons unknown claiming any right, title, estate, lien or interest in the real property described in the Complaint Respondents	:	

BOOK 048 PAGE 332

To the Honorable, the Judge of said Court:

The petition of Jackson Lee Cook, by Tony Bruce of Jones & Jones, his attorneys, respectfully represents:

1. That the Complainant has filed a Bill of Complaint for Sale of Land in Lieu of Partition in this proceeding.

2. That the parties are now ready to take testimony in said proceeding.

3. That it would be inconvenient for the witnesses to be examined to appear beforethe Standing Examiner of Somerset County because of difficulty in arranging a mutually convenient time and date for the taking of said testimony.

Your Complainant, therefore, prays your Honor to pass an order to take testimony in the above entitled case and that this Court pass an order appointing Patsy E. Ake, Special Examiner of this Court to take testimony in the above entitled case.

And as in duty bound,

JONES & JONES

By Tony Bruce
Tony Bruce
Attorneys for Complainant

ORDER

Upon the above petition, it is ORDERED by the Circuit Court for Somerset County, this 24th day of June, 1981, that the Complainant have leave to take testimony and that Patsy E. Ake be and she is hereby appointed Special Examiner of this Court to take testimony in the above entitled case.

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

Lloyd R. Humphries
Judge

Jackson Lee Cook Complainant vs William N. Hayman and Charlotte Hayman, his wife, their heirs and assigns and all other persons unknown claiming any right, title, estate, lien or interest in the real property described in the Complaint Respondents	: : : : : : : :	No. 11,024 Chancery In the Circuit Court for Somerset County, Maryland

TESTIMONY

A Decree pro-confesso having been previously filed in this proceeding upon petition of the Complainant against the Respondents who have failed to appear or to answer the Bill of Complaint filed in this proceeding within the time prescribed by the Rules of Court, therefore:

The following testimony was taken in the above entitled proceeding by me, Patsy E. Ake, a Special Examiner of the Circuit Court for Somerset County, Maryland, I do hereby certify that on this 30th day of June, 1981, in the law office of Jones & Jones, Princess Anne, Maryland, I did take the following testimony, to wit:

Mary Corbin, a witness of lawful age produced on the part of the Complainant, being first duly sworn, deposes and says:

Int. 1 - Please state your name and address.

Ans. My name is Mary Corbin and I reside at Rt. 3, Box 427, Princess Anne, Somerset County, Maryland.

Int. 2 - Are you an adult?

Ans. Yes.

Int. 3 - Are you familiar with the property which is the subject of this proceeding?

Ans. Yes. It consists of 30 acres of woodland on Peggy Boston or McCormick Swamp Road which was conveyed unto William N. Hayman by Rudolph Cohn by deed dated January 6, 1902 and recorded in Liber O.T.B. No. 32, at folio 220 being Lot No. 12 on a plat by Samuel F. Miles dated

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ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

April 27, 1891 and July 20, 1896 and recorded at folio 222. William N. Hayman was my grandfather.

Int. 4 - When did William N. Hayman die and by whom was he survived.

Ans. William N. Hayman died in 1907, his wife Charlotte having predeceased him. He was survived by ten children: Henry Hayman, Joseph H. Hayman, William H. Hayman, Mary Elzey, Ida Niskey, Henrietta Jones, Sarah White, Susan Hitch, Mathias Hayman and Ellen Hayman.

Int. 5 - Are any of the children alive and if not by whom were they survived.

Ans. All of them are deceased. Ellen died survived by one child, Maude Thomas who has since died with no heirs at law except for her aunts and uncles, the children of William N. Hayman. Susan Hitch and Joseph H. Hayman have since died, their spouses, Henry and Hulette, respectively, having predeceased them, survived by their brothers and sisters as their only heirs at law. The other eight children and their descendants are as follows:

(A) Henry has since died (his wife Jennie having predeceased him) survived by five children: Mary H. Jones of Rt. 2, Box 27, Princess Anne, Md., Martin Hayman of Rt. 2, Box 27, Princess Anne, Md., Bertha Boston and Earl Hayman (who have since died survived by their brothers and sisters as their only heirs at law), Charlotte Bailey (who has since died survived by her daughter and only heir at law, Emma Bailey whose whereabouts are unknown) and Nannie Hayman (whose has since died survived by her daughter and only heir at law, Elaine Smith who lives somewhere in New Jersey).

(B) William H. Hayman has since died, his wife, Laura having predeceased him. During his lifetime, all his right, title and interest in the property was conveyed to his son, Bercher S. Hayman, who has since died survived by his widow, Helen Hayman, who has conveyed all her right, title and interest to the Complainant. William H. Hayman was survived by the said Bercher S. Hayman, Lucy Jackson (who has since died, her interest having descended under the estate of Charles Jackson,,Jr. to Maurice Jackson, Sr. of 254 Walnut St., Trenton, New Jersey), William

H. Hayman, Jr. who died without children and whose interest passed to his widow, Elvira Joyness Breckenridge Hayman, of Princess Anne, Oliver Hayman of Rt. 3, Box 405C, Princess Anne, Ida Goldsborough of 11 Graham St., Box 213, Easton, Maryland, Fannie Belle Monnie of 5310 Haddon Ave., Baltimore, Md., Pierce Hayman who has since died survived only by his brothers and sisters and nieces and nephews, Joseh W. Hayman, Sr. who died in 1955 survived by his widow, Mary Ellen Hayman and children (Mary Ellen Hayman having since died), namely: Gladys E. Taylor of 518 Winder St., Apt. 66, Salisbury, Maryland, Carolyn Juanita Bingham of 1800 Morris Road,S.E., Washington, D. C., Mary A. Stacker, 1107 67th Ave., Seat Pleaaant, Md., Joseph W. Hayman, Jr. of Manokin, Maryland, Francis Hayman of 1600 W. St., N.E., Washington D.C., Eldon Hayman of 5115 11th St., N.E., Washington, D.C., James H. Hayman of 3627 Texas Avenue,S.E., Washington, D.C. and Bercher Scott Hayman who died in 1975 survived by a widow, Rhenetta and andaughter who is unknown to me.

(C) Mary Elzey who has since died (her husband Daniel having predeceased her) survived by Lourendia Graham of 474 W. 148th St., Apt. 5E, New York, New York, Herman Elzey of 914 Forrester Ave., Darby, Pennsylvania, Nora Elzey Davis of 77 Blanding Avenue, Providence R.I. and Minnie Stevenson who, with her husband John, has since died survived by her children, Lillian Macey of 1240 N. 55th St., Philadelphia, Pa., Irene Williams of 42 S. 51st St., Philadelphia, Pa., Anita Darden of 447 Peach St., Philadelphia, Pa., and Matilda Evans, 348 Tennessee Avenue, W. Conshocken, Pennsylvania.

(D) Ida Niskey who has since died, her husband Marcellus having predeceased her, survived by four children: Marcellus who has since died survived by his sisters, Ida Davis (who has since died survived by her husband, Cyrus Davis of Rt. 2, Box 27, Princess Anne, and a son, Malcom as her only heirs at law), Esther Niskey and Maria Niskey, both of Rt. 2, Box 27, Princess Anne, Md.

(E) Henrietta Jones who has since died (her husband John having predeceased her) survived by a son and only heir at law, Oliver Jones who died March 5, 1944 survived by a widow, Henrietta Jones Bailey of Greenwood, Princess Anne, Maryland and Lester T. Jones Oliver John Jones, Jr., his sons and only other heirs at law.

(F) Sarah White, who has since died (as has her husband William who predeceased her) survived by her children, Omar White and Mason White of Rt. 3, Box 427, Princess Anne, Maryland, Albert White, Sr. of Rt. 3, Box 427A, princess Anne, Lottie Wainwright of Rt. 3, Box 427, Princess Anne, Annie McDowell of 1743 N. 26th St., Philadelphia, myself, and William White (who died in 1956, his wife Edna having predeceased him survived by his daughter, Jacqueline Grant Wallace of Rt. 3, Box 425, Princess Anne.)

(G) Mathias Hayman, who has since died as has his wife, Henrietta, survived by six children, two of whom, John and Mathias died with no other heirs at law except their brothers and sisters, namely, Celeste Maddox of Rt. 3, Box 419, Princess Anne, Jerome Hayman of Rt. 3, Box 422, Princess Anne, Rosetta Ewell of 2410 Turner St., Philadelphia, Pa. and George Hayman (who died in 1979 survived by his children and only heirs at law, Eula Hayman of Princess Anne, Mary Johnson of Rt. 1, Mt. Vernon, Princess Anne, and George Hayman of 45 Brooklawn Drive, Wilingboro, New Jersey.

Int. 6 - What interest was conveyed to the Complainant, Mr. Cook?

Ans. The interest of William H. Hayman (1/10) was foreclosed upon and conveyed unto Bercher S. Hayman. The interest of Ellen Hayman, Susan Hitch and Joseph H. Hayman (3/10) subsequently passed by intestate succession to their seven brothers and sisters, of which William H. Hayman was one, Each sibling inherited an additional 4 2/7% interest. Seven of the eight children of William H. Hayman (the eighth Pierce having as his only heirs at law his siblings) each inherited a .635% interest. The .635% interest inherited by Bercher S. Hayman from William H. Hayman was also conveyed to the Complainant. The other

six children or their heirs have a .635% interest each. The heirs of the other children of William N. Hayman have a 14% interest or a total balance of 84% to be divided.

Int. 7 - In your opinion can the property be divided in lieu of sale.

Ans. No, there are so many people involved and such a variety of interests man of which are less than 1% of the total. The property cannot be divided equitably given that it consists of woodland, that there is limited road frontage and the minimum requirements of the county zoning ordiance. The interests of all would be better served if the property were sold and the proceeds divided.

COURT QUESTION:

Ans. Nothing further.

Mary Corbin
Mary Corbin

Oliver Hayman, a witness of lawful age produced on the part of the Complainant, being first duly sworn, deposes and says:

Int. 1 - Please state your name and address.

Ans. My name is Oliver Hayman and I reside at Rt. 3, Box 405C, Princess Anne, Maryland

Int. 2 - Are you an adult resident of Somerset County?

Ans. I am.

Int. 3 - Are you familiar with the property which is subject of this proceeding?

Ans. I am.

Int. 4 - Who are the owners of this property and what are their interests?

Ans. Mary H. Jones, a 3.5935%, Martin Hayman, a 3.5035%, Emma Bailey, a 3.5035%, Elaine Smith, a 3.5935%, Elvira Joynes B. Hayman, a .635% Oliver Hayman, a .635%, Ida Goldsborough, a .635%, Fannie Monnie Hayman, a .635%, Maurice Jackson, a .635%, Gladys E. Taylor, a .0925%, Carolyn Juanita Bingham, a .0925%, Joseph W. Hayman, Jr., a .0925%, Mary O. Stacker, a .0925%, Francis Hayman, a .0925%, Eldon Hayman, a .0925%, James H. Hayman, a .0925%, Bercher Scott Hayman's heirs, a widow, Rhenetta and a daughter, a .0925%, Lourendia Graham, a 3.5935%, Herman Elzey, a 3.5935%, Nora Elzey Davis, a 3.5935%, Lillian Macey,

a .911%, Irene W. Williams, a .911%, Anita Darden, a .911%, Matilda Evans, a .911%, Cyrus and Malcom Davis, a 4.79%, Esther Niskey, a 4.79%, Maria Nisley, a 4.79%, Oliver Jones heirs: a widow, Henrietta Bailey, Oliver John Jones, Jr. and Lester T. Jones heirs, a 14.348%, Mason White, a 2.06%, Lottie Wainwright, a 2.06%, Omar White, a 2.06% Albert White, Sr., a 2.06%, Annie McDowell, a 2.06%, Mary Corbin, a 2.06%, Jacqueline Grant Wallace, a 2.06%, Celeste Maddox, a 3.5935%, Jerome Hayman, a 3.5935%, Rozetta Ewell, a 3.5935%, Eula Hayman, a .911%, Mary Johnson, a .911%, George Hayman, a .911% and Jackson Lee Cook, the Complainant, a 10.635% interest.

Int. 5 - In your opinion can the property be equitably divided?

Ans. No, it is in everyone's interest to sell the property as a whole and divide the proceeds.

COURT QUESTION:

Ans. Nothing further.

Oliver Hayman
Oliver Hayman

Jackson Lee Cook, a witness of lawful age produced on the part of the Complaiant, being first duly sworn, deposes and says:

Int. 1 - Please state your name, address and occupation.

Ans. My name is Jackson Lee Cook, I reside at Upper Fairmount, Maryland and I am a real estate broker.

Int. 2 - Are you an adult residentof Somerset County?

Ans. I am.

Int. 3 - Are you the complainant in this proceeding?

Ans. Yes.

Int. 4 - How did you come to be an owner of the property?

Ans. I purchased the interest of Bercher Hayman from his widow and only heir at law.

Int. 5 - What is the value of theproperty in your opinion?

Ans. It is woodland and has several thousand dollars of merchantable timber plus the land which fronts on an unimproved county road.

Int. 6 - In your opinion can the property be equitably divided among the owners?

Ans. No, the ownership percentages are so small that division would make lots too small to use. Many could not have frontage and roads or outlets would have to be provided. The percolation on the property and zoning requirements would prohibit residential use. The property should be sold and the proceeds divided.

Int. 7 - What relief do you request?

Ans. I ask that my attorney, Tony Bruce, be appointed Trustee to sell the property and that after allowance of costs and fees the proceeds of said sale be divided among the owners in their respective proportions as indicated by the testimony.

COURT QUESTION:

Ans. Nothing further.

Jackson Lee Cook
Jackson Lee Cook

There being no further witnesses produced for examination by me, and at the request of attorneys for complainant I hereby return the above testimony to court under my hand and seal and do hereby certify that I read over the testimony verbatim to the witnesses and thereupon they signed the same in my presence and that all requirements of the Maryland Rules of Procedure relating to such testimony have been complied with.

Given under my hand and seal this 30th day of June, 1981.

Patsy E. Ake (SEAL)
Patsy E. Ake, Special Examiner

Jackson Lee Cook	:	No. 11,024 Chancery
Complainant	:	In the Circuit Court for
vs	:	Somerset County, Maryland
William N. Hayman and Charlotte Hayman, his wife, their heirs and assigns and all other persons unknown claiming any right, title, estate, lien or interest in the real property described in the Complaint	:	
Respondents	:	

The above cause standing ready for hearing, the proceedings therein were by the Court read and considered:

It is thereupon, this 15th day of July, 1981, by the Circuit Court for Somerset County, Maryland, in Equity, ADJUDGED, ORDERED and DECREED, that the property in the proceedings mentioned be sold, and Tony Bruce be and he is hereby appointed Trustee to make sale, and that the course and manner of his proceedings shall be as follows: He shall first file with the Clerk of this Court a bond to the State of Maryland, executed by said Trustee and a surety or surties to be approved by this Court, or by the Clerk thereof, in the penalty of $10,000.00, conditioned for the faithful performance of the trust reposed in him by this decree, or to be reposed in him by any future decree or order in the premises, he shall then proceed to make the said sale at public auction, having given at least three weeks' notice by advertisement, inserted in such newspaper or newspapers published in Somerset County, Maryland as he shall think proper, of the time, place manner and terms of sale, and soon as may be convenient after such sale or sales, the said Trustee shall return to this Court a full and particular report of his proceedings relative to such sale, with an affidavit annexed of the truth thereof, and of the fairness of said sale; and on obtaining the Court's ratification of the sale, and on the payment of the whole purchase money, the said Trustee shall, by a good and sufficient deed, to be executed, acknowledged and recorded, according to law, convey to the purchaser, or purchasers, his, her or their heirs and

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

assigns, the property and estat to him, her or them sold, free, clear and discharged from all claims of the parties hereto, and those claiming by, from or under them, or either of them. And the said Trusteesshall bring into this Court the money arising from said sale, to be distributed under the direction of the Court, after deducting costs of this suit, and such commissions to the said Trustee as this Court shall think proper to allow in consideration of the skill, attention and fidelity wherewith he shall appear to have discharged his trust.

Leonard L. Smithson
Judge

Jackson Lee Cook	:	No. 11,024 Chancery
Complainant	:	In the Circuit Court for
vs	:	Somerset County, Maryland
William N. Hayman and Charlotte Hayman, his wife, their heirs and assigns and all other persons unknown claiming any right, title, estate, lien or interest in the real property described in the Complaint	:	BOOK 048 PAGE 342
Respondents	:	

The report of Tony Bruce, Trustee appointed by this Court by Order dated July 15, 1981, respectfully represents that after giving bond with security approved by the Clerk of this Court, for the faithful performance of the trust so reposed in him by said Order, and having given at least three weeks notice of the time, place, manner, and terms of sale by advertisement in the Marylander & Herald, a weekly newspaper published in the Town of Princess Anne, Somerset County, Maryland, for three weeks before the date of sale, he did, pursuant to said notice, attend on the steps of the Courthouse in Princess Anne, Maryland, on the 29th day of September, 1981, at 2:00 o'clock P.M., and then and there proceeded to sell the property described in said advertisement, to wit:

All that lot or parcel of land situate in East Princess Anne Election District, Somerset County, Maryland, lying and binding on the Northeast side of McCormick or Peggy Boston Swamp County Road and being more particularly described as Lot No. 12 on a plat by Samuel F. Miles dated April 27, 1892 and July 20, 1896 and recorded among the Land Records of Somerset County in Liber O.T.B. No. 32 at folio 222; being bounded on the northeast and south by the lands now or formerly of Besley & Rodgers, Inc. and more particularly described as follows: Beginning at a point on the Northwest side of said County Road said point lying 11½ perches from a bend in said road; thence (1) Northeasterly a distance of 159 perches to a point at the location of Lankford's fence said point beging 68 perches Southeasterly from the first bounder of

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

"Allens Vale", thence (2) by and with said Lankford's fence Southeasterly a distance of 158½ perches to said County Road, thence (4) by and with said Conty Road a distance of 24 perches to the aforesaid bend thence continuing with same 11½ perches to the first mentioned point and place of beginning, laid down on said plat as containing 30 acres, more or less, being the same and all the land which was conveyed unto William N. Hayman by Rudolph Cohn by deed dated January 6, 1902 recorded as aforesaid in Liber O.T.B. No. 32, folio 220; and sold the same to Besley & Rodgers, Inc., a body corporate of the State of Maryland, it being then and there the highest bidder therefor at and for the sum of thirteen thousand two hundred dollars ($13,200.00), and the purchaser has complied with the terms of sale.

Respectfully submitted,

Tony Bruce

Tony Bruce, Trustee

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 29th day of September, 1981, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Tony Bruce, Trustee named in the aforegoing Report of Sale, and he made oath in due form of law that the matters and facts therein stated are true and correct, and that the sale therein mentioned and reported was fairly made.

As witness my hand and Notarial Seal.

Patsy E. Aker

Notary Public

Jackson Lee Cook	:	No. 11,024 Chancery
Complainant	:	In the Circuit Court for
vs	:	Somerset County, Maryland
William N. Hayman and Charlotte Hayman, his wife, their heirs and assigns and all others persons unknown claiming any right, title, estate, lien or interest in the real property described in the Complaint	:	BOOK 048 PAGE 344
Respondents	:	

PURCHASER'S AFFIDAVIT

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 29th day of September, 1981, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Lowell Besley, President of Besley & Rodgers, Inc., the purchaser of the real estate in the above entitled proceeding and made oath in due form of law:

1. That in making said purchase he was not acting as agent for anyone except as noted above.

2. That others interested in said purchase, as principals, are none.

3. That he did not directly or indirectly discourage anyone from bidding for the said property.

As witness my hand and Notarial Seal the day and year above written.

NOTARY PUBLIC

Patsy E. Aker
Notary Public

ORDER NISI

Jackson Lee Cook Complainant vs William N. Hayman and Charlotte Hayman, his wife, their heirs and assigns and all other persons unknown claiming any right, title, estate, lien or interest in the real estate described in the Complaint Respondents	: : : : : : :	No. 11,024 Chancery In the Circuit Court for Somerset County, Maryland

ORDERED, by the Circuit Court for Somerset County, this 30th day of September, in the year nineteen hundred and eighty-one, that the sale of the property mentioned in these proceedings, and reported by Tony Bruce, Trustee, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 30th day of October, 1981, provided a copy of this order be inserted in some newspaper published in Somerset County once in each of three successive weeks before the 26th day of October, 1981.

The report states the amount of sale to be $13,200.00

S. Theodore Phoebus
Clerk of the Circuit Court
for Somerset County, Maryland

Jackson Lee Cook Complainant vs William N. Hayman and Charlotte Hayman, his wife, their heirs and assigns and all other persons unknown claiming any right, title, estate, lien or interest in the real property described in the Complaint Respondent	: : : : : : :	No. 11,024 Chancery In the Circuit Court for Somerset County, Maryland

BOOK 048 PAGE 345

ORDERED by the Circuit Court for Somerset County, in Equity, this 3rd day of Nov., in the year nineteen hundred and eighty-one, that the sale of the real estate mentioned in these proceedings made and reported by Tony Bruce, Trustee, be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown although due notice appears to have been given as required by the Order Nisi passed in said cause.

Floyd E. Griffin
Judge

BOOK 048 PAGE 346

KNOW ALL MEN BY THESE PRESENTS, That we, Tony Bruce, of Somerset County and State of Maryland, and The Fidelity and Deposit Company of Maryland, a body corporate, are held and firmly bound unto the State of Maryland, in the full and just sum of ten thousand dollars ($10,000.00) current money to be paid to the State of Maryland or its certain attorney, to which payment well and truly to be made and done we bind ourselves and each of us, our and each of our heirs, executors, administrators and assigns, jointly and severally, firmly by these presents, sealed with our seals and dated this 29th day of September, in the year nineteen hundred and eighty-one.

Whereas, the above bounden, Tony Bruce, by virtue of a decree of the Circuit Court for Somerset County, has been appointed to sell the property mentioned in the proceedings in the case of Jackson Lee Cook vs. William N. Hayman, et al, now peinding in said Court, being No. 11,024 Chancery.

Now, the condition of the above obligation is such that if the above bounden, Tony Bruce does and shall, well and faithfully perform the trust reposed in him by said decree or order in the premises, then the above obligation shall be void, otherwse to be and remain in full force and virtue in law.

Tony Bruce (SEAL)
Tony Bruce

THE FIDELITY AND DEPOSIT COMPANY OF MARYLAND

Witness: Patsy E. Ake

By
Attorney in Fact

THE WITHIN BOND APPROVED:

PER: CLERK Theodore Phoebus

FILED

SEP 29 12 14 PM '81

RECORDED IN ITP
LIBER NO 11 FOLIO 105
THEODORE PHOEBUS, CLK CIR. CT.
BY jj DEPUTY

BOND BOOK 11, PAGE 105

JONES & JONES
Attorneys at Law
Princess Anne, Md.

ORDER NISI

JACKSON LEE
COOK
Complainant

vs.

WILLIAM N. HAYMAN and CHARLOTTE Hayman, his wife, their heirs and assigns and all other persons unknown claiming any right, title, estate, lien or interest in the real estate described in the complaint
Respondents

NO. 11,024 CHANCERY
In The Circuit Court
for Somerset County, Md.

ORDERED, by the Circuit Court for Somerset County, this 30th day of September, in the year nineteen hundred and eighty-one, that the sale of the property mentioned in these proceedings, and reported by Tony Bruce, Trustee, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 30th day of October, 1981, provided a copy of this order be inserted in some newspaper published in Somerset County once in each of three successive weeks before the 26th day of October, 1981.

The report states the amount of sale to be $13,200.00.

I. THEODORE PHOEBUS
Clerk of the
Circuit Court
for Somerset County, Md.

TRUE COPY, TEST:
I. Theodore Phoebus
Clerk

3 tc 10/8.

BOOK 048 PAGE 347

PRINCESS ANNE, MD., Oct 22 1981

This is to certify that the annexed Notice has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Notice

Dates Inserted: Oct 8, 15, 22, 1980

J. Bryan Byrd
Business Manager MARYLANDER and HERALD

JACKSON LEE COOK	:	IN THE
Complainant	:	CIRCUIT COURT FOR
v.	:	SOMERSET COUNTY, MD
WILLIAM N. HAYMAN and CHARLOTTE HAYMAN, et al.	:	No. 11,024 CHANCERY
Respondents.	:	BOOK 048 PAGE 348

PETITION RAISING EXCEPTIONS TO REPORT OF SALE AND ORDER NISI

Comes now Frances Hayman, James Hayman, Joseph Hayman, Gladys Taylor, Mary Stacker, Eldon Hayman, and Lorraine Randall, pro se, and respectfully file exceptions to the report of sale and to any final order of Ratification for the Sale of Property in the captioned matter for the following reasons:

1. All Petitioners are lawful heirs to the Estate of William and Charlotte Hayman, Respondents herein;

2. In addition to Petitioners there are allegedly (62) sixty-two other lawful heirs;

3. All Petitioners were unaware of any of the proceedings relating to the Report of Sale of the instant property described in the Complaint;

4. All Petitioners are desirous of maintaining ownership in such property;

5. Petitioners are willing to immediately pay all other heirs their entitled share in the property.

FOR THE FOREGOING, reasons it is respectfully requested that the Court allow these exceptions and vacate the judicial sale, and set the matter for a hearing.

Respectfully submitted,

Eldon S. Hayman

Eldon Hayman
5115 11th Street, N. E.
Washington, D. C. 20011

DISTRICT :
OF : ss
COLUMBIA :

Francis E Hayman
Francis Hayman

James Hayman
James Hayman

Joseph Hayman
Joseph Hayman

Gladys Taylor
Gladys Taylor

Mary Stacker
Mary Stacker

Eldon L Hayman
Eldon Hayman

Lorraine Randall
Lorraine Randall

Sworn to and subscribed before me
by Francis Hayman, James Hayman,
Mary Stacker, Eldon Hayman and
Lorraine Randall this 29th day
of October, 1981.

Theresa Gallo
Theresa Gallo, Notary
District of Columbia
My Commission Expires: 9-14-85

DISTRICT :
OF :: ss
COLUMBIA :

BOOK 048 PAGE 350

Francis Hayman

James Hayman

Mary Stacker

Eldon Hayman

Lorraine Randall

Subscribed and sworn to before me

on this 29th day of October, 1981

Theresa Gallo, Notary District of Columbia
My Commission Expires: 9-14-85

JACKSON LEE COOK	:	IN THE
Complainant	:	CIRCUIT COURT FOR
v.	:	SOMERSET COUNTY, MD
WILLIAM N. HAYMAN and CHARLOTTE HAYMAN, et al.	:	No. 11,024 CHANCERY
Respondents.	:	

POINTS AND AUTHORITIES

Rule BR6 4

Inherent powers of the Court

Eldon L. Hayman
Eldon Hayman
Pro se
5115 11th Street, N. E.
Washington, D. C. 20011

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Petition was hand - delivered this 29th day of October, 1981, to Jones & Jones, Attorneys at Law, Princess Anne, Maryland.

Eldon Hayman
Eldon Hayman

JACKSON LEE COOK	:	IN THE BOOK 048 PAGE 352
Complainant	:	CIRCUIT COURT FOR
		SOMERSET COUNTY, MD
v.	:	
		No. 11,024 CHANCERY
WILLIAM N. HAYMAN and CHARLOTTE HAYMAN, et al.	:	
Respondents.	:	

O R D E R

Upon consideration of the Petition Raising Exceptions to Report of Sale and Order Nisi, and good cause being shown, it is hereby

ORDERED that the Petition is granted, and

FURTHER ORDERED that the matter be scheduled for hearing on

_____
J U D G E

_____
D A T E

Jackson Lee Cook	:	No. 11,024 Chancery
Complainant	:	In the Circuit Court for
vs	:	Somerset County, Maryland
William N. Hayman and Charlotte Hayman, et al.	:	
Respondents	:	

MOTION NE RECIPIATUR (OR MOTION TO OVERRULE EXCEPTIONS IN THE ALTERNATIVE)

To the Honorable, the Judge of said Court:

Now comes your orator, Tony Bruce, Trustee duly appointed in the above entitled proceeding and says:

1. That a document entitled "Petition Raising Exceptions to Report of Sale and Order Nisi" has been filed in the above entitled proceeding by Francis Hayman, James Hayman, Joseph Hayman, Gladys Taylor, Mary Stacker, Eldon Hayman and Lorraine Randall.

2. That said document fails to allege that the sale duly reported to this Court was not fairly and properly made.

3. That the order of publication, advertisement and order nisi and printer's certificates thereto, together with the purchaser's affidavit duly filed in this Court together with the case docket entries show that the proceedings were regular and the sale fairly and properly made.

4. That said petition merely delays the ratification of sale, the audit, ratification thereof, and final distribution unnecessarily to the detriment of the purchaser and other owners of the property including the other heirs of William Hayman and Charlotte Hayman, the Respondents herein.

WHEREFORE, your orator prays that said petition be not received pursuant to Rule 322 of the Maryland Rules of Procedure or that said petition be overruled pursuant to Rule BR6b.4 of the Maryland Rules of Procedure.

Tony Bruce

Tony Bruce, Trustee

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

BOOK 048 PAGE 354

ORDER OF COURT

The aforegoing Motion Ne Recipiatur having been read and considered and the Court having reviewed the documents filed in the above entitled proceeding, it is ORDERED by the Circuit Court for Somerset County, Maryland, this 31st day of Nov., 1981, that the Motion Ne Recipiatur is hereby granted with regard to the Petition Raising Exceptions to Report of Sale and Order Nisi.

Lloyd L. Griffin
Judge

ORDER OF COURT

The aforegoing Motion to Overrule Exceptions in the Alternative having been read and considered and the Court having reviewed the order of publication, advertisement, order nisi and printer's certificates heretofore filed and the Court being satisfied that the sale was fairly and properly made and that exceptions thereto should be overruled it is ORDERED by the Circuit Court for Somerset County, Maryland, this 31st day of Nov., 1981, that the Petition Raising Exceptions to Report of Sale and Order Nisi is denied.

Lloyd L. Griffin
Judge

I hereby certify, that on this 30th day of October, 1981, I mailed a copy of the aforegoing Motion Ne Recipiatur (or Motion to Overrule Exceptions in the Alternative) to Eldon Hayman, Petitioner Pro Se on behalf of himself and Francis Hayman, James Hayman, Joseph Hayman, Gladys Taylor, Mary Stacker and Lomaine Randall, 5115 11th Street, N.E., Washington, D.C. 20011 by first-class U.S. mail, postage prepaid.

Tony Bruce
Tony Bruce

JACKSON LEE COOK	*	NO. 11,024 CHANCERY
Complainant	*	IN THE CIRCUIT COURT
vs.	*	FOR SOMERSET COUNTY
WILLIAM N. HAYMAN AND CHARLOTTE HAYMAN, et al	*	STATE OF MARYLAND
Respondents	*	

FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he made an examination of the proceedings in the above entitled cause and from them and the list of expenses furnished him therein, states the following Account:

Amount of Sale			$ 13,200.00
Fees, Costs, Expenses, etc.:			
I. Theodore Phoebus, Court Costs		$ 197.00	
Pete Richardson, Auctioneer		75.00	
Marylander and Herald		344.00	
Order of Publication	96.00		
Advertising	213.00		
Order of Nisi	35.00		
Trustee's Board		40.00	
Patsy Ake, Special Examiner's Fee for Testimony		25.00	
Mary H. Jones, reimbursement for taxes paid		134.82	
Notary Fees, Patsy Ake		4.50	
Jones & Jones, postage		10.00	
Trustee's Commission per rules		810.00	
10% of 1st $3,000.00 - $300.00			
5% of excess - 510.00			
Auditor's Fee		125.00	
Total Fees, Costs, Expenses, etc.		$ 1,765.32	
Balance for Distribution			$ 11,434.68

It is the auditor's opinion based on the family tree information furnished him in the file, by Tony Bruce, Esquire and Ms. Carlyn J. Bingham, the interests of the parties in the funds to be distributed are as follows:

I. Henry Hayman (deceased) children:		
1. Mary H. Jones Rt. #2, Box 27 Princess Anne, MD 21853	.02856%	$ 326.57
2. Martin Hayman Rt. #2, Box 27 Princess Anne, MD 21853	.02856%	326.57
3. Bertha Boston (deceased) a. Betty Boston Garrett Lano Avenue Princess Anne, MD 21853	.01428%	163.30

LOGAN C. WIDDOWSON
ATTORNEY AT LAW
NORTH SOMERSET AVENUE
PRINCESS ANNE, MD. 21853
651-3800

b. Sarah Boston Landing 3018 N. 23rd Street Philadelphia, PA 19132	.01428%	163.29
4. Earl Hayman (deceased) (no wife or children)	-0-	-0-
5. Charlotte Bailey (deceased) a. Emma Bailey	.02856%	326.57
6. Nannie Hayman (deceased) a. Elaine Smith	.02856%	326.57
II. Ida Niskey (deceased) children:		
1. Ida Davis (deceased) heirs: Cyrus Davis and Malcolm Davis Rt. #2, Box 27 Princess Anne, MD 21853 proceeds to estate	.0476%	544.29
2. Esther Niskey Rt. #2, Box 27 Princess Anne, MD 21853	.0476%	544.29
3. Mariah Niskey Rt. #2, Box 27 Princess Anne, MD 21853	.0476%	544.29
III. Henrietta Jones (deceased) one son, Oliver Jones also deceased, heirs are: widow - Henrietta Jones Bailey sons - Lester T. Jones Oliver John Jones, Jr. proceeds to estate	.1428%	1,632.87
Iv. Sarah White (deceased) children:		
1. Omar White Rt. #3, Box 427 Princess Anne, MD 21853	.0238%	272.15
2. Mason White Rt. #3, Box 427 Princess Anne, MD 21853	.0238%	272.15
3. Albert White Rt. #3, Box 427 Princess Anne, MD 21853	.0238%	272.15
4. Lottie Wainwright Rt. #3, Box 427 Princess Anne, MD 21853	.0238%	272.14
5. Annie McDowell 1743 N. 26th Street Philadelphia, PA	.0238%	272.14
6. William White (deceased) children: a. Jacqueline Grant Wallace Rt. #3, Box 425 Princess Anne, MD 21853	.0238%	272.14

LOGAN C. WIDDOWSON
ATTORNEY AT LAW
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PRINCESS ANNE, MD. 21853
651-3600

V. Matthias Hayman (deceased)
children:

1. Celeste Maddox Rt. #3, Box 419 Princess Anne, MD 21853	.0357%	408.22
2. Jerome Hayman Rt. #3, Box 422 Princess Anne, MD 21853	.0357%	408.22
3. Rosetta Ewell 2410 Turner Street Philadelphia, PA	.0357%	408.22
4. George Hayman (deceased) children:		
a. Eula Hayman Princess Anne, MD 21853	.0119%	136.07
b. Mary Johnson Rt. #1 Princess Anne, MD 21853	.0119%	136.07
c. George Hayman 45 Brooklin Drive Willingboro, NJ	.0119%	136.07

VI. Mary Elzey (deceased)
children:

1. Lourenda Graham 474 West 148th Street Apt. #58 New York, NY	.0357%	408.25
2. Herman Elzey 914 Forest Avenue Darby, PA	.0357%	408.25
3. Nora Elzey Davis 77 Blanding Avenue Providence, RI	.0357%	408.25
4. Minnie Stevenson (deceased) children:		
a. Lillian Macey 1 1240 N. 55th Street Philadelphia, PA	.00892%	102.03
b. Irene Williams 42 S. 51st Street Philadelphia, PA	.00892%	102.03
c. Anita Darden 447 Peach Street Philadelphia, PA	.00892%	102.03
d. Matilda Evans 348 Tennessee Ave. West Conshocken, PA	.00892%	102.03

VII. Ellen Thomas (deceased)
heirs thought to be her surviving brothers and sisters.

VIII. Joseph Hayman (deceased)
heirs thought to be his surviving brothers and sisters.

LOGAN C. WIDDOWSON
ATTORNEY AT LAW
NORTH SOMERSET AVENUE
PRINCESS ANNE, MD. 21853
651-3800

IX. Susan Hitch (deceased)
heirs thought to be her surviving brothers and sisters.

X. William H. Hayman, Sr. (deceased)
It is the Auditor's opinion that William H. Hayman, Sr. inherited a 1/10 interest in the total property upon the death of William N. Hayman and Charlotte Hayman. Further that this interest is now held in fee simple by Jackson Lee Cook.

Therefore, Mr. Cook's 1/10 interest amounts to $1,143.47.

However, the Auditor further is of the opinion that William H. Hayman, Sr. inherited an interest in the property due to the death of his sisters, Ellen Thomas and Susan Hitch, and his brother Joseph Hayman, who died leaving as their only heirs their surviving brothers and sisters; this interest being 1/7 of 3/10 or .0428 of the whole. This interest should be distributed as follows:

Children of William H. Hayman, Sr.

1. Fannie Hayman Monie 5310 Hadden Avenue Baltimore, MD	.00535%	61.17
2. Ida Goldsborough 11 Graham Street Easton, Maryland 21601	.00535%	61.17
3. Lucy Johnson (deceased) children: a. Maurice Jackson, Jr. 254 Walnut Street Trenton, NJ	.00535%	61.17
4. William Hayman, Jr. (deceased) Heir - Wife Elvira Hayman Princess Anne, MD 21853	.00535%	61.17
5. Oliver Hayman Rt. #3, Box 405 C Princess Anne, MD 21853	.00535%	61.18
6. Joseph W. Hayman (deceased) children: a. Gladys Taylor 518 Winder Street Apt. #66 Salisbury, Maryland 21801	.000668%	7.65
b. Carlyn J. Bingham 1800 Morris Road, S.E. Washington, D.C.	.000668%	7.65
c. Mary O. Stacker 1107 67th Avenue Seat Pleasant, MD	.000668%	7.65
d. Joseph Hayman, Jr. Manokin, MD 21836	.000668%	7.65
e. Francis Hayman 1600 W Street, N.E. Washington, DC	.000668%	7.65

LOGAN C. WIDDOWSON
ATTORNEY AT LAW
NORTH SOMERSET AVENUE
PRINCESS ANNE, MD. 21853
651-3800

f. Eldon Hayman
5115 11th Street, N.E.
Washington, D.C. .000668% 7.65

g. James H. Hayman
3627 Texas Avenue, S.E.
Washington, D.C. .000668% 7.65

h. Bercher Scott Hayman (deceased)
Widow - Rhenetta
Daughter - Name unknown .000668% 7.65

7. Pierce Hayman (deceased)
Widow - Annie Hayman
103 Reading Circle
Trenton, NJ 08540 .00535% 61.17

8. Bercher Hayman (deceased)
Wife - Helen Hayman .00535% 61.17

ALL EXCEPTIONS to said reprot must be filed within fifteen (15) days of the date of filing; if no exceptions are filed, the Account may be ratified.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing on the date of the filing of the Audit notice of this report to the parties above set forth, being those the Auditor believes has an interest, and by mailing a copy to Tony Bruce, Esquire, Law Office of Jones and Jones, South Somerset Avenue, Princess Anne, Maryland 21853, regular U.S. mail, postage prepaid.

Logan C. Widdowson, Auditor

Date Filed: April 22, 1982

LOGAN C. WIDDOWSON
ATTORNEY AT LAW
NORTH SOMERSET AVENUE
PRINCESS ANNE, MD. 21853
651-3800

LCW/gm
81 # 112

BOOK 048 PAGE 360

No. 11,024 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 22nd day of April, 19 82 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the 7th day of May, 19 82.

J. Theodore Shockley
CLERK

No exceptions having been filed, and no cause to the contrary having been shown, IT IS ORDERED by the Circuit Court for Somerset County, in Equity, this _____ day of _____, 19_____ that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

_____
CLERK

JACKSON LEE COOK	*	NO. 11,024 CHANCERY
Complainant	*	IN THE CIRCUIT COURT
vs.	*	FOR SOMERSET COUNTY
WILLIAM N. HAYMAN and CHARLOTTE HAYMAN, et al	*	STATE OF MARYLAND

AMENDED AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he files this amended audit to correct a portion of said audit, specifically the section dealing with the heirs of Sarah White, inasmuch as he failed to include Mary Corbin as a heir; therefore, said section is restated as follows:

IV. Sarah White (deceased)
children:

1. Omar White Rt. #3, Box 427 Princess Anne, MD 21853	.0204%	$ 233.26
2. Mason White Rt. #3, Box 427 Princess Anne, MD 21853	.0204%	233.26
3. Albert White Rt. #3, Box 427 Princess Anne, MD 21853	.0204%	233.27
4. Lottie Wainwright Rt. #3, Box 427 Princess Anne, MD 21853	.0204%	233.27
5. Annie McDowell 1743 N. 26th Street Philadelphia, PA	.0204%	233.27
6. William White (deceased) children:		
a. Jacqueline Grant Wallace Rt. #3, Box 425 Princess Anne, MD 21853	.0204%	233.27
7. Mary Corbin Rt. #3, Box 427 Princess Anne, MD 21853	.0204%	233.27

ALL EXCEPTIONS to said report must be filed within fifteen (15) days of the date of filing; if no exceptions are filed, the Account may be ratified.

YOUR AUDITOR hereby certifies that on the date of filing this Amended Audit Report, he mailed a copy of said Amended Audit to the following by regular U.S. mail, postage prepaid:

LOGAN C. WIDDOWSON
ATTORNEY AT LAW
NORTH SOMERSET AVENUE
PRINCESS ANNE, MD. 21853
651-3800

BOOK 048 PAGE 362

Omar White
Rt. #3, Box 427
Princess Anne, MD 21853

Mason White
Rt. #3, Box 427
Princess Anne, MD 21853

Albert White
Rt. #3, Box 427
Princess Anne, MD 21853

Lottie Wainwright
Rt. #3, Box 427
Princess Anne, MD 21853

Annie McDowell
1743 N. 26th Street
Philadelphia, PA

Jacqueline Grant Wallace
Rt. #3, Box 425
Princess Anne, MD 21853

Mary Corbin
Rt. #3, Box 427
Princess Anne, MD 21853

Tony Bruce, Esquire
Law Offices of Jones & Jones
South Somerset Avenue
Princess Anne, MD 21853

Logan C. Widdowson, Auditor

Date Filed: April 28, 1982

LOGAN C. WIDDOWSON
ATTORNEY AT LAW
NORTH SOMERSET AVENUE
PRINCESS ANNE, MD. 21853

651-2600

LCW/gm
81 # 112

LOGAN C. WIDDOWSON
ATTORNEY AT LAW

ASSOCIATES
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.

NORTH SOMERSET AVENUE
PRINCESS ANNE, MD. 21853
TELEPHONE: 651-3800

May 3, 1982

No. 11024 cly

Ms. Elvira Loneg
2413 West Turner Street
Philadelphia, PA 19121

Re: Jackson Lee Cook
vs. Hayman Family

Dear Ms. Loneg:

I acknowledge receipt of your letter dated April 25, 1982.

Inasmuch as I was the Court Auditor in the above-captioned proceedings, I cannot advise you legally with regards to the question set forth in your letter.

I would suggest that you contact an Attorney to look into this matter on your behalf if you wish to pursue any claim you may or may not have.

Also, you should be aware that there are certain time limits which must be adhered to and in this case, you only have 15 days from the date the Audit was filed to take any exceptions to the Audit. Therefore, time is certainly running against you.

The information on which I have based the Audit was from the Court file, information which I received in my conversations with Mr. Bruce, who represented Mr. Cook, and information which I received from a conference with Ms. Carlyn Bingham.

Regards,

S/

Logan C. Widdowson

LCW/gm
cc: Tony Bruce, Esquire
I. Theodore Phoebus,
Clerk of the Circuit Court
for Somerset County

[illegible] Jackson St.
Phila. Pa. 19121.
4/25/82.

Dear Sir:

I have seen the papers of Jackson Lee Cooke - complaint

BOOK 048 PAGE 364

vs

William H. Hayman

Charlotte Hayman

I am Elvira Arnold Loney the granddaughter of the late Pierce Hayman, my mother Alfreda Hayman Arnold was his daughter, my grandmother, Sertia Carr Hayman was his wife.

Pierce Hayman - deceased

wife - Sertia Carr Hayman - deceased

daughter - Alfreda Hayman Arnold - deceased

granddaughter - Elvira Arnold Loney

If my great father married Ann Hayman it was after my grandmother Sertia Carr Hayman died May 26, 1963; because they

will not answer

C

Please advise me as to my current standing in this matter as to why I was not recognized as the great daughter of the late Pierce Hayman.

Sincerely
Elvira A. Gray

BOOK 048 PAGE 365

E. A. Long
2413 W. Thurmond St
Phila. Pa. 19121

PM

USA 20¢

Logan C. Fiddamson
Attorney at Law
47 N. Somerset Ave
Princess Anne, Md. 21853

BOOK 048 PAGE 366

I. THEODORE PHOEBUS
CLERK OF THE CIRCUIT COURT
PRINCESS ANNE, MARYLAND 21853
301-651-1555

May 14, 1982

Ms. Elvira Loneg
2413 West Turner Street
Philadelphia, PA 19121

Re: No. 11,024 Chancery Case
Jackson Lee Cook
vs.
William N. Hayman, et al

Dear Ms. Loneg:

On this date, Judge Richard M. Pollitt ratified the Amended Auditor's Report filed in the above captioned case with the exception of Item X (William H. Hayman, Sr. (deceased), 7. Pierce Hayman (deceased).

This is to advise that you have been given ten (10) days from this date to present whatever claim you may have to this court. If nothing is received from you within that time, on May 25, 1982, the amended auditor's report will be ratified by the Court.

I am enclosing herewith a copy of the Ratification showing the exception thereto concerning Item X,7.

Very truly yours,

I. Theodore Phoebus

ITP/aw

Enc. 11

cc: Logan C. Widdowson, Esquire, Court Auditor, Princess Anne, MD 21853
Tony Bruce, Esquire, Jones & Jones, Princess Anne, MD. 21853

No. 11,024 Chancery Case

BOOK 048 PAGE 368

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 28th day of April, 19 82 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the 13th day of May, 19 82.

I. Theodore Phoebus
CLERK

No exceptions having been filed, and no cause to the contrary having been shown, IT IS ORDERED by the Circuit Court for Somerset County, in Equity, this 14th day of May, 19 82 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed, except for item X, 7, the interest of Pierce Hayman heir or heirs in the amount of $61.17, ratification of that item stayed to afford an opportunity to Elverna Toney to present whatever claim she may have.

Richard M. Collins
Judge

Jackson Lee Cook Complainant vs William N. Hayman and Charlotte Hayman, et al Respondents	: : : :	No. 11,024 Chancery In the Circuit Court for Somerset County, Maryland

PETITION

To the Honorable, the Judge of said Court:

Now comes your petitioner, Mary H. Jones, and says that Martin Hayman named in item I.(2) of the Audit filed in the above captioned case is deceased and that she is entitled to the proceeds due said decedent by reason that she paid the funeral bill of the decedent as evidenced by the attached receipt; that said funeral bill exceeds the share due Martin Hayman from said sale.

WHEREFORE, petitioner prays that the Trustee be ordered to pay over the proceeds due decedent to Mary H. Jones.

Mary H. Jones
Petitioner

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 28th day of May, 1982, before me, the subscriber a Notary Public of the State and County aforesaid, personally appeared Mary H. Jones and made oath in due form of law that the matters set forth in above petition are true and correct.

As witness my hand and Notarial Seal the day and year above written.

PATSY E. AKE NOTARY PUBLIC SOMERSET COUNTY

Patsy E. Ake
Notary Public

ORDER

The above captioned petition having been read and considered, it is this 1st day of June, 1982 that the above petition be granted.

Lloyd L. Griffin
Judge

BOOK 048 PAGE 369

Service — Is Our Greatest Desire 8 *Lady Attendant*

HENRY J. NIMMONS

Funeral Director

BOOK 048 PAGE 370

1301 W. LEHIGH AVENUE BA 5-1379 PHILADELPHIA, PA. 19132

TO: Mr Daniel Jones
1303 W. Rush St.
Phila., Pa., 19132

April 10, 1982

FUNERAL SERVICES RENDERED FOR: Martin C. Heymon

PROFESSIONAL SERVICES: Include removal of the deceased (local), ultra preparation and restoration, ascertaining necessary information for certified copies, filing of necessary authorizations, securing burial permit, professional supervision of all arrangements pertaining to funeral services and director of funeral services, family counseling, filing necessary forms such as County Commission, social security, insurance, retirement, veterans and etc.

FACILITIES AND EQUIPMENT: Use of chapel facilities and necessary equipment, pre-funeral consultation, telephone calls, death announcements, acknowledgment cards, register book, floral arrangements, and etc.

Total.....$ 175.00

AND INCLUDING OTHER ITEMS:

Casket.....$ 100.00
Outercase (Vault, Liner or Shipping Pouch).....
Comfort and Handerchief for Face.....
Clothes (Dress, Suit and Shoes).....
Total.....$ 100.00

CASH EXPENDITURES:

Hearse for Funeral.....$
Limousine.....
Funeral Coach for Removal.....
Flower Car.....
Grave Opening or Lot..... 75.00
Certified Copies @ $2.00 each.....
Death Notices (Newspaper).....
Postage.....
Programs.....
Air or Rail Cost.....
Other Funeral Director's Charges.....
Total.....$ 75.00

Total for Our Services, Merchandise & Cash Expenditures.....$ 350.00

Received Payment 4/13/82 — 350.00

Balance — 0

Paid In Full

Thank You

Henry J. Nimmons

No. 11024 Ch.

2413 W. Turner St.
Phila. Pa. 19121.
May 20, 1982.

Dear Mr. Phelps:

I received your letter dated May 14, 1982.

I am the grand daughter of Pierce Hayman, my grandmother Sertia Jane Hayman was his wife now deceased, Alfreda Hayman Arnold his daughter who was my mother now deceased, I am Elvira Arnold Loney her only child.

You may confirm what I have said by getting in touch with my cousin Joseph Hayman Sr. of Manoskie, N.J.

Sincerely yours
Elvira A. Loney

BOOK 048 PAGE 371

LOGAN G. WIDDOWSON
ATTORNEY AT LAW

ASSOCIATES
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.

NORTH SOMERSET AVENUE
PRINCESS ANNE, MD. 21853
TELEPHONE: 651-3600

May 18, 1982

No. 11.024 Chancery

BOOK 048 PAGE 372

Mrs. Anita Darden
44 North Peach Street
Philadelphia, PA 19139

Dear Mrs. Darden:

I am returning the copy of the First and Final Auditor's Report which you attached to your letter of May 12, 1982.

I am quite confused by this letter inasmuch as you received a copy of the Audit from one of your sisters, and I do not understand the necessity of sending you another copy. However, a copy of this letter will go to the Clerk of the Circuit Court for Somerset County so that he will know that I corresponded with you, and so that your correct address will be reflected in the file.

Regards,

sl

Logan C. Widdowson

LCW/gm
Enclosure
cc: I. Theodore Phoebus,
Clerk of the Circuit Court
for Somerset County

cc: Tony Bruce, Esquire

May 12, 1982

Dear Sir.

I am writing to you to let you know. I am on this List of "Family Tree" I am the deceased Daughter of Mrs Minnie Stevenson,

MRS ANITA DARDER
44 NORTH PEACH STREET
PHILA, PA 19139,

each one of her Children recieves on of this paper I have not got one because you had the wrong Address, I had this copy made from one of my sister to let you see the address is wrong. So you please Change me Address and send me a Copy. Also. Mary Clezey Daughter Address is wrong. I check it off two.

Thank You

Mrs Anita Darden
44 North Peach St.
Phila Pa 19137

BOOK 048 PAGE 373

BOOK 048 PAGE 374

Jackson Lee Cook	:	No. 11,024 Chancery
Complainant	:	In the Circuit Court for
vs	:	Somerset County, Maryland
William N. Hayman and Charlotte Hayman, et al	:	
Respondents		

PETITION

To the Honorable, the Judge of said Court:

Now comes your Trustee and says that Oliver Hayman has confirmed to me that Pierce Hayman was married to Scotia Carr Hayman; that they were subsequently divorced; that one child was born of that marriage, namely, Alfreda Hayman Arnold; that Scotia Carr Hayman and Alfreda Hayman Arnold have since died survived by Elvira Arnold Loney; that Pierce Hayman subsequently married Annie Hayman.

Wherefore, your Petitioner prays he be allowed to disburse Pierce Hayman's share of the proceeds as follows: To Annie Hayman - $30.59; to Elvira Arnold Loney - $30.58,

Tony Bruce
Petitioner

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 24th day of June, 1982, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Tony Bruce, Trustee in the above matter, and made oath in due form of law that the matters set forth in the above petition are true to the best of his knowledge and belief as verified to him by Oliver Hayman.

As witness my hand and Notarial Seal.

NOTARY PUBLIC

Patsy E. Ake
Notary Public

ORDER

The aforegoing petition having been read and considered, it is this ~~1st~~ day of ~~June~~ July 1982, ORDERED by the Circuit Court for Somerset County that the Trustee distribute the sum of $30.59 to Annie Hayman and the sum of $30.58 to Elivra Arnold Loney.

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

Richard M Pollitt
Judge

OCT 25 1983
Exd.

R. Scott Davis, Assignee Ex Parte for the purpose of Foreclosure and Collection under power obtained in a mortgage from Colie C. Mears, Margaret J. Mears, his wife, and Margaret I. Corbin to R. Scott Davis for foreclosure and collection	*	IN THE CIRCUIT COURT FOR SOMERSET COUNTY STATE OF MARYLAND EQUITY NO. 11334
V.	*	
Colie C. Mears, Margaret J. Mears, his wife, Margaret I. Corbin	*	JUL 19 82 B 325539D*****10.00 JUL 19 82 B 325538D*****60.00

ORDER TO DOCKET

Mr. Clerk:

Please docket the above entitled case and file among the papers the following documents.

1. Original mortgage from Colie C. Mears, Margaret J. Mears, his wife, and Margaret I. Corbin to Pocomoke Realty, Incorporated, dated January 26, 1977 and recorded among the Land Records of Somerset County, Maryland in Liber 298, folio 394, marked "Plaintiff's Exhibit A."

2. Original Note from Colie C. Mears, Margaret J. Mears, his wife, and Margaret I. Corbin dated January 26, 1977 and marked "Plaintiff's Exhibit B."

3. Military Affidavit.

4. Statement of Mortgage Debt.

R. Scott Davis, Assignee
946 West Main Street
Crisfield, Maryland 21817
Phone: 968-1100

FOR MORTGAGE SEE LIBER ITP NO. 298 PAGE 394

FOR ASSIGNMENTS SEE LIBER ITP NO. 333 PAGE 560

EXHIBIT B

BOOK 048 PAGE 376

NOTE

$8,550.00

January 26, 1977

Princess Anne, Maryland

FOR VALUE RECEIVED, we promise to pay to the order of Pocomoke Realty, Incorporated eight thousand five hundred fifty dollars ($8,550.00) with interest from date, in two hundred forty monthly installments, the first two hundred thirty-nine of which shall be for the sum of seventy-one dollars and fifty-four cents ($71.54) each, and the two hundredth fortieth and final installment shall be for the amount then due; the first of said installments being due and payable on the 1st day of March, 1977, and the remaining installments on even date of each succeeding month thereafter until fully paid; said installment payments to be credited first to interest and the balance to principal of said indebtedness.

WE HEREBY WAIVE the benefits of all statutory exemptions and the rights to exemptions for the execution as to the debt evidenced by the Note; and if default be made in the payment hereof at maturity, we hereby covenant to pay 15% additional as collection fee and hereby authorize and empower any Attorney of any Court of record any time after maturity hereof to confess judgment against us for whatever amount may be due on this obligation, principal and interest, and cost of suit, with 15% collection charges.

THE UNDERSIGNED shall also pay a late charge of two percent (2%) per month on all payments more than 30 days past due and costs of collection, including a reasonable Attorney's fee, if this Note is referred to an Attorney for collection after default.

IT IS further agreed and understood that this debt will be further secured by a Mortgage on certain real property located in the West Princess Anne Election District of Somerset County.

WITNESS:

Logan C. Widdowson — Colie C. Mears (SEAL)
Colie C. Mears

as to all (3) — Margaret J. Mears (SEAL)
Margaret J. Mears

Margaret J. Corbin (SEAL)
Margaret J. Corbin

FOR VALUE RECEIVED, Pocomoke Realty, Incorporated hereby assigns the within and foregoing Mortgage to United Americas Bank, a banking institution, organized and existing under the laws of the State of New York, on this 26th day of January, 1977.

ATTEST: Philip T. English, Secretary

POCOMOKE REALTY, INCORPORATED By: James H. English, Jr. President

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

"FOR VALUE RECEIVED, United Americas Bank, a banking institution, organized and existing under the laws of the State of New York, does hereby assign the within and foregoing attached mortgage and the debt secured thereby without recourse, to Pocomoke Realty, Incorporated, a body corporate of the State of Maryland."

Dated: April 28, 1982

United Americas Bank

Attest:

By: _____
Sheldon Fried
Secretary

By: Lawrence R. Mehringer
Lawrence R. Mehringer
Vice President

FILED

JUL 19 2 45 PM '82

RECORDED IN
LIBER _____ FOLIO ____
L.THEODORE MELBEUS, CLK. CI. CT.
DEPUTY

BOOK 048 PAGE 377

R. Scott Davis, Assignee Ex Parte for the purpose of Foreclosure and Collection under power obtained in a mortgage from Colie C. Mears, Margaret J. Mears, his wife, and Margaret I. Corbin to R. Scott Davis for foreclosure and collection Plaintiff	*	IN THE CIRCUIT COURT FOR SOMERSET COUNTY STATE OF MARYLAND EQUITY NO. 11334
V.	*	
Colie C. Mears, Margaret J. Mears, his wife Margaret I. Corbin Defendants	*	

MILITARY AFFIDAVIT

STATE OF MARYLAND, COUNTY OF SOMERSET, to wit:

I HEREBY CERTIFY that before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared R. Scott Davis, Assignee for Pocomoke Realty, Incorporated, a body corporate, and made oath in due form of law that to the best of his personal information, knowledge and belief:

(1) Said Defendants are not in the military service of the United States.

(2) Said Defendants are not in the military service of any nation allied with the United States.

(3) Said Defendants have not been ordered to report for induction under the Selective Training and Service Act of 1940 as amended.

(4) Said Defendants are not members of the Enlisted Reserve Corps, who have been ordered to report for military service.

R. Scott Davis, Assignee,
Affiant

SUBSCRIBED and sworn to before me this 15th day of July, 1982.

Notary Public

My commission expires: 7/1/86

R. Scott Davis, Assignee Ex Parte for the purpose of Foreclosure and Collection under power obtained in a mortgage from Colie C. Mears, Margaret J. Mears, his wife, and Margaret I. Corbin to R. Scott Davis for foreclosure and collection Plaintiff	*	IN THE CIRCUIT COURT FOR SOMERSET COUNTY STATE OF MARYLAND
V.	*	EQUITY NO. 11334
Colie C. Mears, Margaret J. Mears, his wife, Margaret I. Corbin Defendants	*	

STATEMENT OF DEBT

The Statement of Debt by Pocomoke Realty, Inc., Lender, under that Mortgage securing a Note from Colie C. Mears, Margaret J. Mears, his wife, and Margaret I. Corbin to Pocomoke Realty, Inc., which Mortgage is dated January 26, 1977 and recorded among the Land Records of Somerset County in Liber 298, folio 120.

Principal owed as of July 1, 1982	$7,828.71
Interest owed as of July 1, 1982	1,097.74
TOTAL	$8,926.45
Per diem interest:	$1.74

STATE OF MARYLAND, COUNTY OF SOMERSET, to wit:

I HEREBY CERTIFY that on July 1, 1982, before me, the subscriber a Notary Public in and for the State and County aforesaid, personally appeared R. Scott Davis, Assignee for Pocomoke Realty, Incorporated, the Plaintiff in the above entitled cause, and made oath that to the best of his personal knowledge, information, and belief the foregoing is a true statement of the amount of the claim under the Mortgage filed in said cause now remaining due and unpaid.

AS WITNESS, my hand and Notarial Seal.

Notary Public

My Commission Expires: 7/1/86

Maryland

No. 11,334 Chancery Case

WESTERN SURETY COMPANY

One of America's Oldest Bonding Companies

CHICAGO • SIOUX FALLS • DALLAS
PALO ALTO • VALLEY FORGE

BOOK 048 PAGE 380

TRUSTEES, MORTGAGEES, ATTORNEYS OR FORECLOSURE BOND

KNOW ALL MEN BY THESE PRESENTS: FORM No. 19-TM-5536

That we, R. Scott Davis, as Principal, and the WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, as Surety, authorized to do business in the State of Maryland, are held and firmly bound in the sum of Nine Thousand, Five Hundred and no/100 ($9,500.00) DOLLARS,
(NOT VALID IF FILLED IN FOR MORE THAN $500,000.00)
to be paid to the said State of Maryland or its certain Attorney, to which payment well and truly to be made, we bind ourselves and our legal representatives, jointly and severally, by these presents.

Sealed with our seals and dated this 27th day of August, 1982.

WHEREAS, the above bounden R. Scott Davis

by virtue of the power contained in a mortgage from Colie C Mears, Margaret J Mears, Margaret I. Corbin

to Pocomoke Realty, Inc.

bearing date the 26th day of January 1977 and recorded among

the mortgage records of Somerset County

in Liber I.T.P. No. ~~298~~ 299 Folio ~~394~~ 394

and R. Scott Davis

is about to sell the land and premises described in said mortgage, default having been made in the payment of the money as specified, and in the conditions and covenants therein contained.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bounden

R. Scott Davis

do and shall well and truly and faithfully perform the trust reposed in him under the mortgage aforesaid, and shall abide by and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of said mortgaged property, or the proceeds thereof, then the above obligation to be void, otherwise to be and remain in full force and virtue in law.

Signed, Sealed and delivered in the presence of

As to Principal

Principal

As to Surety

Principal

WESTERN SURETY COMPANY

By B J Mehlhaff
Vice President

Countersigned by John W Weber Jr
Maryland Resident Agent

THE WITHIN BOND APPROVED AND FILED

AUG 31 11 21 AM '82

CLERK

RECORDED IN LIBER I.T.P. 11 FOLIO 153 BY JMC CLK. CIR. CT. DEPUTY

Bond Book I.T.P. 11 Page 153

1268—10-77

WESTERN SURETY COMPANY • ONE OF AMERICA'S OLDEST BONDING COMPANIES

R. Scott Davis, Assignee Ex Parte for the purpose of Foreclosure and Collection under power obtained in a mortgage from Colie C. Mears, Margaret J. Mears, his wife, and Margaret I. Corbin to R. Scott Davis for foreclosure and collection Plaintiff	*	IN THE CIRCUIT COURT FOR SOMERSET COUNTY STATE OF MARYLAND EQUITY NO. 11,334
V.	*	
Colie C. Mears, Margaret J. Mears, his wife, Margaret I. Corbin Defendants	*	

* *

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

This Report of R. Scott Davis, Assignee, filed in these proceedings to foreclose upon a Mortgage from Colie C. Mears, Margaret J. Mears, his wife, and Margaret I. Corbin to Pocomoke Realty, Inc., securing an indebtedness to Pocomoke Realty, Inc.; R. Scott Davis having been made assignee to make sale of the property therein mentioned in the event or default thereunder, respectfully shows:

That the said indebtedness, being in default, having given bond with surety which was duly approved and having given the requisite notice of time, place, manner, and terms of sale by advertisment in the Marylander and Herald, a newspaper printed and published in Somerset County, State of Maryland, R. Scott Davis, Assignee in this cause did, pursuant to said notice of sale, attend in person at Somerset County Courthouse, Princess Anne, Maryland, on Tuesday, August 31, 1982 at 2:00 p.m, the time and place mentioned in said advertisement, and then and there, in the presence of a number of persons, did proceed to sell at public sale the property mentioned in the said Mortgage, to wit:

ALL that lot or parcel of land situate, lying and being in the West Princess Anne Election District, Somerset County, State of Maryland and as accurately shown and designated as Lot No. 10 on plat dated November 11, 1976, entitled "The Division of Pocomoke Realty, Inc. Land," prepared by George A. Chapman, and recorded among the Land Records of Somerset County in Plat Book Liber I.T.P. No. 11, page 21, and more particularly described as follows: Beginning for the same at a point on the northern side of Eden-Allen Road; said point being the southwestern corner of the parcel herein conveyed; thence:

1. North 02° 01' 14" west running through a concrete monument a distance of 815.65 feet to a concrete monument; thence,
2. South 79° 39' 52" east a distance of 271.23 feet to a point; thence,
3. South 31° 19' 28" east a distance of 569.78 feet to a point; thence,
4. South 54° 00' 00" west a distance of 66 feet to a point; thence,
5. South 47° 30' 00" west a distance of 231.00 feet to a point; thence,
6. South 34° 41' 29" west a distance of 81.82 feet to a point on the northerly side of Eden-Allen Road; thence,
7. North 56° 00' 00" west by and with the north side of said Eden-Allen Road a distance of 66.00 feet to a point; thence,
8. South 82° 00' 00" west continuing by and with the north side of said Eden-Allen Road a distance of 212.25 feet to the place of beginning;

and containing 6.884 acres, more or less; subject however, to a right of way which leads from the north side of Eden-Allen Road and which runs parallel with the easterly boundaries of the lot herein conveyed; said right of way being accurately laid down on the plat hereinbefore mentioned.

Being a part only of all that tract or parcel of land as conveyed unto Pocomoke Realty, Incorporated by a deed dated April 3, 1972, from James H. English, Jr. and recorded among the aforesaid Land Records in Liber I.T.P. No. 266, page 62. And, also, being the same and all the land which was conveyed unto Colie C. Mears and Margaret J. Mears, his wife, and Margaret I. Corbin from Pocomoke Realty, Incorporated by a deed duly recorded in Liber I.T.P. No. 298, Folio 397 et seq.

Said property being sold to Pocomoke Realty, Incorporated at and for the sum of Five Thousand Two Hundred Dollars, it being at that price then and there the highest bidder therefor.

The said purchaser has agreed to comply with the terms of sale. Certificate of Publication, Affidavit of Auctioneer, Affidavit of Purchaser and Report of Sale are filed herewith, all of which are respectfully submitted.

AND, AS IN DUTY BOUND, etc.

R. Scott Davis
Assignee
P.O. Box 647
Crisfield, Maryland 21817
Phone: 968-1100

AFFIDAVIT

STATE OF MARYLAND, SOMERSET COUNTY, to wit:

I HEREBY CERTIFY, that on this 31st day of August, 1982, before me the subscriber, a Notary Public of the State and County aforesaid, personally appeared R. Scott Davis, Attorney and Assignee of the Foreclosure of Colie C. Mears, Margeret J. Mears, his wife and Margaret I. Corbin and he made oath in due form of law that the matters and facts contained in the Report of Sale are true and correct to the best of his knowledge, information and belief.

WITNESS my hand and Notarial Seal the day and year as first above written.

Notary Public

BOOK 048 PAGE 384

R. Scott Davis, Assignee
Ex Parte for the purpose of
Foreclosure and Collection
under power obtained in a
mortgage from Colie C. Mears,
Margaret J. Mears, his wife,
and Margaret I. Corbin to
R. Scott Davis for foreclosure
and collection
Plaintiff

V.

Colie C. Mears,
Margaret J. Mears, his wife,
Margaret I. Corbin
Defendants

IN THE CIRCUIT COURT

FOR SOMERSET COUNTY

STATE OF MARYLAND

CHANCERY NO. 11,334

O R D E R N I S I

ORDERED, that the sale of the property mentioned in these proceedings and the distribution of the process thereof be ratified and confirmed unless cause to the contrary thereof be shown on or before the 30th day of September, 1982, provided a copy of this Order be inserted in some weekly newspaper printed in Somerset County, once in each of three successive weeks before the 23rd day of September, 1982.

The report states the amount of sale being Five Thousand Two Hundred Dollars ($5,200.00).

DATED: September 2, 1982

Clerk

R. Scott Davis, Assignee Ex Parte for the purpose of Foreclosure and Collection under power obtained in a mortgage from Colie C. Mears, Margaret J. Mears, his wife, and Margaret I. Corbin to R. Scott Davis for foreclosure and collection Plaintiff	*	IN THE CIRCUIT COURT FOR SOMERSET COUNTY STATE OF MARYLAND EQUITY NO. 11,334
V.	*	
Colie C. Mears, Margaret J. Mears, his wife, Margaret I. Corbin Defendants	*	

* *

AUCTIONEER'S AFFIDAVIT

I HEREBY CERTIFY that at the request of the Assignee in the captioned proceedings that I offered the property described in the annexed advertisement of sale at public auction at Somerset County Court House, Princess Anne, MD 21853, on August 31, 1982, at 2:00 P.M., and sold same to James English, for the benefit of Pocomoke Realty, Inc., at and for the sum of Five Thousand Two Hundred Dollars ($5,200.00), said buyer being at that price the highest bidder therefor, and I have not paid and will not pay, directly or indirectly, any sum or consideration for employing me or for aiding to employ me to make such sale.

William Daugherty

Subscribed and sworn to before me this 31st day of August, 1982.

Notary Public

My Commission Expires:
6/30/86

BOOK C48 PAGE 386

R. Scott Davis, Assignee Ex Parte for the purpose of Foreclosure and Collection under power obtained in a mortgage from Colie C. Mears, Margaret J. Mears, his wife, and Margaret I. Corbin to R. Scott Davis for foreclosure and collection Plaintiff	*	IN THE CIRCUIT COURT FOR SOMERSET COUNTY STATE OF MARYLAND EQUITY NO. 11,334
V.	*	
Colie C. Mears, Margaret J. Mears, his wife, Margaret I. Corbin Defendants	*	

* *

AFFIDAVIT OF PURCHASER

STATE OF MARYLAND, COUNTY OF SOMERSET, to wit:

I HEREBY CERTIFY that before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared James English, in behalf of Pocomoke Realty, Inc. and made oath in due form of law that he attended the public sale held herein of the property described in Exhibit A attached hereto which was held on August 31, 1982 pursuant to the terms of the mortgage , and that to the best of his knowledge, information and belief:

(1) By bid made by James English, for the benefit of Pocomoke Realty, Inc. , the property was bought by Pocomoke Realty, Inc. as principals.

(2) That no others were interested in said sale as principals.

(3) That James English, in behalf of Pocomoke Realty, Inc., did not directly or indirectly discourage anyone from bidding on said property.

Subscribed and sworn to before me this 31stday of August , 1982.

My Commission Expires:
6/30/86

Notary Public

R. Scott Davis, Assignee
Ex Parte for the purpose of
Foreclosure and Collection
under power obtained in a
mortgage from Colie C. Mears,
Margaret J. Mears, his wife,
and Margaret I. Corbin to
R. Scott Davis for foreclosure
and collection
Plaintiff

V.

Colie C. Mears,
Margaret J. Mears, his wife,
Margaret I. Corbin
Defendants

IN THE CIRCUIT COURT

FOR SOMERSET COUNTY

STATE OF MARYLAND

CHANCERY NO. 11,334

ORDER NISI

ORDERED, that the sale of the property mentioned in these proceedings and the distribution of the process thereof be ratified and confirmed unless cause to the contrary thereof be shown on or before the 14th day of October, 1982, provided a copy of this Order be inserted in some weekly newspaper printed in Somerset County, once in each of three successive weeks before the 12th day of October, 1982.

The report states the amount of sale being Five Thousand Two Hundred Dollars ($5,200.00).

DATED: Sept. 14, , 1982

S. Theodore Phoebus
Clerk

BOOK 048 PAGE 388

PRINCESS ANNE, MD., Aug 12 1982

This is to certify that the annexed Notice has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Notice

Dates Inserted: Aug 12, 1982

Business Manager MARYLANDER and HERALD

R. Scott Davis
Assignee
P. O. Box 647
Crisfield, Maryland 21817
Phone: 301-968-1100/1783

William Daugherty
Auctioneer

3 tc 8/12

R. Scott Davis
Ward & Davis
Attorneys at Law

PUBLIC SALE
VALUABLE REAL ESTATE

Under and by virtue of the Power of Sale contained in a Mortgage from Colie C. Mears, Margaret J. Mears, his wife, and Margaret I. Corbin, dated January 20, 1977 and recorded among the Land Records of Somerset County, Maryland in Liber I. T. P. No. 298, folio 394, default having been made in the terms and conditions thereof, the undersigned, substitute attorney named in said mortgage will offer for sale at public auction on the Court House steps, Prince William Street, Princess Anne, Maryland on

TUESDAY
AUGUST 31, 1982
AT OR ABOUT 2:00 P.M.

All that lot or parcel of land situate, lying and being in the West Princess Anne Election District, Somerset County, State of Maryland and as accurately shown and designated as Lot No. 10 on plat dated November 11, 1976, entitled "The Division of Pocomoke Realty, Inc. Land", prepared by George A. Chapman, and recorded among the Land Records of Somerset County in Plat Book Liber I.T.P. No. 11, page 21, and more particularly described as follows: Beginning for the same at a point on the northern side of Eden-Allen Road; said point being the southwestern corner of the parcel herein conveyed; thence:

1. North 02° 01' 14" west running through a concrete monument a distance of 815.65 feet to a concrete monument; thence,
2. South 79° 39' 52" east a distance of 271.23 feet to a point; thence,
3. South 31° 19' 28" east a distance of 569.78 feet to a point; thence,
4. South 54° 00' 00" west a distance of 36 feet to a point; thence,
5. South 47° 30' 00" west a distance of 231.00 feet to a point; thence,
6. South 34° 41' 29" west a distance of 81.82 feet to a point on the northerly side of Eden-Allen Road; thence,
7. North 56° 00' 00" west by and with the north side of said Eden-Allen Road a distance of 66.00 feet to a point; thence,
8. South 82° 00' 00" west continuing by and with the north side of said Eden-Allen Road a distance of 212.25 feet to the place of beginning;

and containing 6.884 acres, more or less; subject however, to a right of way which leads from the north side of Eden-Allen Road and which runs parallel with the easterly boundaries of the lot herein conveyed; said right of way being accurately laid down on the plat hereinbefore mentioned.

Being a part only of all that tract or parcel of land as conveyed unto Pocomoke Realty, Incorporated by a deed dated April 3, 1972, from James H. English, Jr. and recorded among the aforesaid Land Records in Liber I.T.P. No. 263, page 62. And, also being the same and all the land which was conveyed unto Colie C. Mears and Margaret J. Mears, his wife, and Margaret I. Corbin from Pocomoke Realty, Incorporated by a deed duly recorded in Liber I.T.P. No. 298, Folio 397 et seq.

TERMS OF SALE: One Thousand Dollars ($1,000.00) cash on date of Sale, balance upon final ratification of Sale by the Circuit Court of Somerset County, the unpaid portion of the purchase price to be secured to the satisfaction of the undersigned Attorney and to bear interest at the rate of ten (10%) per cent per annum, or all cash at the option of the purchaser(s).

Title papers, state stamps and transfer tax at the expense of the purchaser(s), taxes will be pro-rated as of the date of final ratification of the Sale.

Maryland Agriculture Development Tax, if any, to be paid by Purchaser(s).

R. Scott Davis, Assignee Ex Parte for the purpose of Foreclosure and Collection under power obtained in a mortgage from Colie C. Mears, Margaret J. Mears, his wife, and Margaret I. Corbin to R. Scott Davis for foreclosure and collection	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COUNTY
	*	STATE OF MARYLAND
Plaintiff		
V.	*	CHANCERY NO. 11,334
Colie C. Mears, Margaret J. Mears, his wife, Margaret I. Corbin	*	
Defendants		

* * * * * * * * * * *

AFFIDAVIT OF NOTICE

STATE OF MARYLAND
ss
COUNTY OF SOMERSET

I HEREBY CERTIFY, that on this 14th day of October, 1982, before me, the subscriber, a Notary Public of the State of Maryland, personally appeared R. Scott Davis, Assignee in the above entitled case who by virtue of the mortgage filed in these proceedings was empowered to sell the mortgaged property in the proceedings in such case, and made oath in due form of law that on August 24, 1982, he caused notice to be mailed by certified mail, restricted delivery, return receipt requested, of the time, place and terms of sale to the mortgagors at their last known address within the time specified by Maryland Rules of Procedure, Rule W742(c) and Real Property Article, Section 7-105(b), as evidenced by the proof of mailing receipts and return receipts which are attached hereto.

R. Scott Davis
Assignee
P.O. Box 647
Crisfield, Maryland 21817
Phone: 301-968-1100

BOOK 048 PAGE 389

Subscribed and sworn to before me this 14th day of October 1982.

Notary Public

BOOK 048 PAGE 390

P31 8069532

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO: Colie C. Mears
STREET AND NO.: Rt 1
P.O., STATE AND ZIP CODE: Eden, Md 21822

POSTAGE		$ .20
CONSULT POSTMASTER FOR FEES	CERTIFIED FEE	.75¢
OPTIONAL SERVICES	SPECIAL DELIVERY	¢
	RESTRICTED DELIVERY	100¢
RETURN RECEIPT SERVICE	SHOW TO WHOM AND DATE DELIVERED	.70¢
	SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	¢
	SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	¢
	SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	¢
TOTAL POSTAGE AND FEES		$2.65
POSTMARK OR DATE		AUG 24 1982 MD EDEN POST OFFICE

PS Form 3800, Apr. 1976

PS Form 3811, Dec. 1980

● **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
   - ☐ Show to whom and date delivered ..... ¢
   - ☑ Show to whom, date, and address of delivery.. 70¢
2. ☑ RESTRICTED DELIVERY 100¢
   (The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL $1.70

3. ARTICLE ADDRESSED TO:
   Colie C. Mears
   RT 1
   Eden, Md. 21822

4. TYPE OF SERVICE:
   ☐ REGISTERED ☐ INSURED
   ☑ CERTIFIED ☐ COD
   ☐ EXPRESS MAIL

ARTICLE NUMBER: P31 806532

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent

5. Colie Mears

DATE OF DELIVERY

POSTMARK: AUG 30 1982 MD EDEN POST OFFICE

6. ADDRESSEE'S ADDRESS (Only if requested)

7. UNABLE TO DELIVER BECAUSE:

7a. EMPLOYEE'S INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

P 261 751 250

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO: Margaret I Corbin
STREET AND NO.: Rt 1
P.O., STATE AND ZIP CODE: Eden, Md. 21822

POSTAGE		$ .20
CONSULT POSTMASTER FOR FEES	CERTIFIED FEE	.75¢
OPTIONAL SERVICES	SPECIAL DELIVERY	¢
	RESTRICTED DELIVERY	100¢
RETURN RECEIPT SERVICE	SHOW TO WHOM AND DATE DELIVERED	¢
	SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	.70¢
	SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	¢
	SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	¢
TOTAL POSTAGE AND FEES		$2.65
POSTMARK OR DATE		AUG 24 1982 MD EDEN POST OFFICE

PS Form 3800, Apr. 1976

PS Form 3811, Dec. 1980

● **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
   - ☐ Show to whom and date delivered ..... ¢
   - ☑ Show to whom, date, and address of delivery.. 70¢
2. ☑ RESTRICTED DELIVERY 100¢
   (The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL $1.70

3. ARTICLE ADDRESSED TO:
   Margaret I. Corbin
   Rt 1
   Eden, Md. 21822.

4. TYPE OF SERVICE:
   ☐ REGISTERED ☐ INSURED
   ☑ CERTIFIED ☐ COD
   ☐ EXPRESS MAIL

ARTICLE NUMBER: P261 751250

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent

5. Margaret Corbin

DATE OF DELIVERY: 8-31-82

POSTMARK: AUG 31 1982 MD EDEN POST OFFICE

6. ADDRESSEE'S ADDRESS (Only if requested): Delivered at PO Window

7. UNABLE TO DELIVER BECAUSE:

7a. EMPLOYEE'S INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

WARD & DAVIS
ATTORNEYS-AT-LAW
P.O. BOX 647
CRISFIELD, MD. 21817

RESTRICTED DELIVERY

RETURN RECEIPT REQUESTED

CERTIFIED MAIL
P 261 751 249

FIELD HARD CRAB DERBY AND FAIR
LABOR DAY WEEKEND
THE LAND OF THE FREE

RETURNED TO SENDER
REASON
Unclaimed
Refused
Addressee unknown
Insufficient Address
No such street number
No such office in state
No such letail in state

EDEN, MD
AUG 25 PM 1982
21822

CRISFIELD, MD 21817
AUG 24 PM 1982

Meades

J. Meades
Rt 1
Eden, Md 21822

Rt. 2 Box 57
Delmar, DE 19940

CLAIM CHECK NO.
430865

☐ HOLD

DATE
9-9-82
1ST NOTICE

2ND NOTICE
9-24-82
RETURN
ASU

Detached from
PS Form 3849—A
Oct. 1980

Insufficient Address
No such street number
No such office in state
No such letail in state

RETURN TO SENDER

PS Form 3800, Apr. 1976

CONSULT POSTMASTER FOR FEES

TOTAL POSTAGE AND FEES	$2.65
POSTMARK OR DATE	AUG 24 1982

OPTIONAL SERVICES

RETURN RECEIPT SERVICE: SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	¢
RETURN RECEIPT SERVICE: SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	¢
RETURN RECEIPT SERVICE: SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	.70
RETURN RECEIPT SERVICE: SHOW TO WHOM AND DATE DELIVERED	¢
RESTRICTED DELIVERY	1.00
SPECIAL DELIVERY	¢
CERTIFIED FEE	.75
POSTAGE	1.20
P.O., STATE AND ZIP CODE	Eden, Md 21822
STREET AND NO.	Rt 1
SENT TO	Margaret J. Meades

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

RECEIPT FOR CERTIFIED MAIL

P 261 751 249

BOOK 048 PAGE 391

OCT 20 4 30 PM '82

PRINCESS ANNE, MD., Oct 12 1982

This is to certify that the annexed Notice

has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Notice

Dates Inserted: Sept 16, 23, 30 1982

Business Manager MARYLANDER and HERALD

R. Scott Davis, Assignee Ex Parte for the purpose of Foreclosure and Collection under power obtained in a mortgage from Colie C. Mears, Margaret J. Mears, his wife, and Margaret I. Corbin to R. Scott Davis for foreclosure and collection.
Plaintif

V

Colie C. Mears,
Margaret J. Mears, his wife,
Margaret I. Corbin
Defendents

IN THE CIRCUIT COURT FOR SOMERSET COUNTY

STATE OF MARYLAND

CHANCERY NO. 11,334

ORDER NISI

ORDERED, that the sale of the property mentioned in these proceedings and the distribution of the process thereof be ratified and confirmed unless cause to the contrary thereof be shown on or before the 14th day of October, 1982, provided a copy of this Order be inserted in some weekly newspaper printed in Somerset County, once in each of three successive weeks before the 12th day of October, 1982.

The report states the amount of sale being Five Thousand Two Hundred Dollars ($5,200.00).

Dated:
September 14, 1982.

I THEODORE PHEOBUS
Clerk

True Copy:
I. Theodore Pheobus
Clerk

3tc 9/16

R. Scott Davis, Assignee Ex Parte for the purpose of Foreclosure and Collection under power obtained in a mortgage from Colie C. Mears, Margaret J. Mears, his wife, and Margaret I. Corbin to R. Scott Davis for foreclosure and collection	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COUNTY
	*	STATE OF MARYLAND
Plaintiff		
V.		CHANCERY NO. 11,334
Colie C. Mears, Margaret J. Mears, his wife, Margaret I. Corbin	*	
Defendants		

* * * * * *

ORDERED BY THE COURT, This 20th day of Oct, 1982, That the sale, made and reported by R. Scott Davis, Assignee, be, and the same is hereby finally ratified and confirmed, no cause to the contrary having been show, although due notice appears to have been given as required by the Order Nisi passed in said cause; and the Assignee allowed the usual commissions and such proper expenses as they shall produce vouchers for.

Lloyd L. Smith
JUDGE

FILED

Oct 20 4 30 PM '82

BOOK 048 PAGE 393

BOOK 048 PAGE 394

R. Scott Davis, Assignee Ex Parte for the purpose of Foreclosure and Collection under power obtained in a mortgage from Colie C. Mears, Margaret J. Mears, his wife, and Margaret I. Corbin to R. Scott Davis for foreclosure and collection	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COUNTY
	*	STATE OF MARYLAND
Plaintiff	*	CHANCERY NO. 11,334
vs.	*	
Colie C. Mears, Margaret J. Mears, his wife, Margaret I. Corbin	*	
Defendants	*	

FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he made an examination of the proceedings in the above entitled cause and from them and the list of expenses furnished him therein, states the following Account:

Amount of Sale			$ 5,200.00
Interest from 8/31/82 through 10/21/82			59.49
			5,259.49
Fees, Costs, Expenses, Etc.:			
I. Theodore Phoebus, Clerk, Court Costs		$127.00	
Marylander and Herald			
Advertising	366.62		
Order Nisi	50.00	416.62	
William B. Daugherty, Auctioneer		100.00	
Logan C. Widdowson, Auditor		65.00	
Bond Premium		30.00	
State and County Taxes		811.84	
Trustee's Commission		410.00	
Attorney's Fee per mortgage		75.00	
Title Bring to Date		35.00	
Telephone		20.00	
Postage		7.95	
Total Fees, Costs, Expenses, Etc.			$ 2,098.41
Balance to be Distributed			3,161.08
Mortgage Debt			
Interest per diem $1.74 from 7/1/82 to 11/20/82		$1,343.08	
Principal		7,828.71	
		$9,171.79	
Deficit			$6,010.71

ALL EXCEPTIONS to said report must be filed within fifteen (15) days of the date of filing; if no exceptions are filed, the Account may be ratified.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing on the date of the filing of the Audit notice of this report to the following parties by regular U.S. mail:

Colie C. Mears and
Margaret Mears, His wife
Rt. #1,
Eden, MD 21822

Margaret I. Corbin
Rt. #1
Eden, MD 21822

R. Scott Davis
P.O. Box 647
Crisfield, MD
21817

Date Filed:
11/5/82

Logan C. Widdowson

LOGAN C. WIDDOWSON
ATTORNEY AT LAW
NORTH SOMERSET AVENUE
PRINCESS ANNE, MD. 21853
651-3600

LCW/gjb
82 # 123
11/5/82

No. 11,334 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 5th day of November, 19 82 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the 22nd day of November, 1982.

J. Theodore Phelps
CLERK

No exceptions having been filed, and no cause to the contrary having been shown, IT IS ORDERED by the Circuit Court for Somerset County, in Equity, this 29th day of November, 19 82 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

J. Theodore Phelps
CLERK

MAR 22 1984
Exd

JUL 16-82 B 925493D*****10.00
JUL 16-82 B 925492D*****60.00

BOOK 048 PAGE 396

ROBERT F. VAVRINA and JAMES D. LAUDEMAN, JR., SUBSTITUTE TRUSTEES	*	IN THE CIRCUIT COURT
	*	FOR
VS.	*	SOMERSET COUNTY
ROBERT L. PRICE and GLENDA T. PRICE, his wife	*	IN EQUITY
	*	No. 11333 Chancery

Mr. Clerk:

Please docket the above entitled foreclosure case and file among the papers the following instruments marked Plaintiff s' Exhibit 'A'. 'B' and 'C'", respectively,

1. Original Deed of Trust between Robert L. Price and Glenda T. Price, his wife, and Edwin M. Hurd and David C. McElroy Trustee(s), dated November 18, 1980 and recorded among the Land Records of Somerset County in Liber ITP 325 folio 94 ; the Trustees of record having been removed and the Plaintiffs appointed Substitute Trustee s by instrument dated May 13, 1982 and duly recorded among the aforesaid Land Records.

2. Original Deed of Trust Note secured by above Deed of Trust, dated November 18, 1980 in the amount of Thirty Thousand Eight Hundred and 00/100ths Dollars ($ 30,800.00), held by Baltimore Federal Savings and Loan Association.

3. Copy of Removal of Trustee(s) and Appointment of Substitute Trustees, dated May 13, 1982 , whereby the Plaintiffs herein were appointed Substitute Trustees; to be replaced with the original document upon release from the Land Records Office of this Court following completion of recording processes.

PLAINTIFFS' EXHIBIT "A" (DEED OF TRUST)
SEE LIBER ITP NO. 325 PAGE 94.

FOR PLAINTIFFS' EXHIBIT "C" (REMOVAL OF SUB TR.)
SEE LIBER ITP NO. 333 PAGE 532.

Robert F. Vavrina

James D. Laudeman, Jr.

Substitute Trustees

CALLAHAN, CALWELL & LAUDEMAN

BY: Robert F. Vavrina , Partner

Attorneys for Plaintiff

210 E. Redwood Street
Baltimore, Maryland 21202
(301) 539-6841

ROBERT F. VAVRINA and JAMES D. LAUDEMAN, JR., SUBSTITUTE TRUSTEES	*	IN THE CIRCUIT COURT
	*	FOR
VS.	*	SOMERSET COUNTY
ROBERT L. PRICE and GLENDA T. PRICE, his wife	*	IN EQUITY
	*	

STATEMENT OF DEED OF TRUST DEBT

Statement of claim of Baltimore Federal Savings and Loan Association, holder of the Note secured by Deed of Trust from Robert L. Price and Glenda T. Price, his wife to Edwin M. Hurd and David C. McElroy, Trustee(s), dated November 18, 1980 and recorded among the Land Records of Somerset County in Liber ITP 325 Folio 94.

Amount of indebtedness	$30,800.00
Less - amount paid on principal	73.34
	30,726.66
Plus - interest from 11/1/81 thru 5/6/82	2,143.14
	32,869.80
Less - balance in expense account	54.13
	$32,815.67

Interest per diem $11.52

STATE OF MARYLAND, CITY ~~X COUNTY~~ OF BALTIMORE
TO WIT:

I HEREBY CERTIFY, that on this 6th day of May, 19 82, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared Loretta M. Dembinsky, Vice President of Baltimore Federal Savings and Loan Association,

holder of the Note in the above entitled cause, and made oath that the foregoing is a just and true statement of the amount of the claim under the Deed of Trust filed in the said cause remaining due and unpaid.

WITNESS my hand and Notarial Seal.

My commission expires: 7/1/82

BRADFORD CARNEY
Notary Public

BRADFORD CARNEY NOTARY PUBLIC BALTIMORE COUNTY, MD.

BOOK 048 PAGE 397

IN THE CIRCUIT COURT

FOR

SOMERSET COUNTY

IN EQUITY

VAVRINA

VS.

PRICE

PLAINTIFF S' EXHIBIT "B"

1-13500-60446

RENEGOTIABLE RATE

NOTE

$ 30,800.00 Salisbury, Maryland

November 18, 19 80

FOR VALUE RECEIVED, the undersigned ("Borrower") promise(s) to pay BALTIMORE FEDERAL SAVINGS AND LOAN ASSOCIATION, or order, the principal sum of Thirty Thousand, Eight Hundred and 00/100 ($30,800.00) Dollars, with interest on the unpaid principal balance from the date of this Note, until paid, at the rate of thirteen and one-half (13.50%) percent per annum. Principal and interest shall be payable at Fayette and St. Paul Streets, Maryland, 21202, or such other place as the Note holder may designate, in consecutive monthly installments of Three Hundred Fifty-Two and 80/100ths----------Dollars (US $ 352.80), on the first day of each month beginning January 1, 1981. Such monthly installment shall continue until the entire indebtedness evidenced by this Note is fully paid, except that any remaining indebtedness, if not sooner paid, shall be due and payable on December 1, 1983.

This loan is automatically renewable at the end of the above loan term for additional three (3) year terms for a maximum period of thirty (30) years, except as hereinafter set forth.

The above monthly installments are based on a thirty (30) year amortization and the interest rate on this loan is subject to change every three (3) years. The interest rate increases or decreases shall reflect the movement, in reference to the date hereof, of the contract interest rate on the purchase of previously occupied homes in the Federal Home Loan Bank Board's most recent monthly national average mortgage rate index for all major lenders, with a maximum increase or decrease of one-half percent per year multiplied by the number of years of the original loan term with a maximum interest rate increase or decrease of five percent over the term of the Deed of Trust. At least ninety (90) days before the due date of the loan, the holder hereof shall send written notification to borrower renewing the loan for a like period of three (3) years at the interest rate and monthly payments set forth in the ninety (90) day renewal notice. Borrower shall have the option to decline Noteholder's renewal, in which event the entire principal amount outstanding and all accrued interest thereon shall become due and payable without penalty. If borrower does not decline by written response to the Noteholder, the loan will be automatically renewed at the interest rate stated in the notice.

If any monthly installment under this Note is not paid when due and remains unpaid after a date specified by a notice to Borrower, the entire principal amount outstanding and accrued interest thereon shall at once become due and payable at the option of the Note holder. The date specified shall not be less than thirty days from the date such notice is mailed. The Note holder may exercise this option to accelerate during any default by Borrower regardless of any prior forbearance. If suit is brought to collect this Note, the Note holder shall be entitled to collect all reasonable costs and expenses of suit, including, but not limited to, reasonable attorney's fees.

Borrower shall pay to the Note holder a late charge of five (5%) percent of any monthly installment not received by the Note holder within fifteen (15) days after the installment is due.

Borrower may prepay the principal amount outstanding in whole or in part. The Note holder may require that any partial prepayments (i) be made on the date monthly installments are due and (ii) be in the amount of that part of one or more monthly installments which would be applicable to principal. Any partial prepayment shall be applied against the principal amount outstanding and shall not postpone the due date of any subsequent monthly installments or change the amount of such installments, unless the Note holder shall otherwise agree in writing.

Presentment, notice of dishonor, and protest are hereby waived by all makers, sureties, guarantors and endorsers hereof. This Note shall be the joint and several obligation of all makers, sureties, guarantors and endorsers, and shall be binding upon them and their successors and assigns.

Any notice to Borrower provided for in this Note shall be given by mailing such notice by certified mail addressed to Borrower at the Property Address stated below, or to such other address as Borrower may designate by notice to the Note holder. Any notice to the Note holder shall be given by mailing such notice by certified mail, return receipt requested, to the Note holder at the address stated in the first paragraph of this Note, or at such other address as may have been designated by notice to Borrower.

The indebtedness evidenced by this Note is secured by a Deed of Trust, dated of even date herewith, and reference is made to the Deed of Trust for rights as to acceleration of the indebtedness evidenced by this Note.

South Somerset Avenue

Princess Anne, Maryland 21853

Property Address

Robert L. Price (SEAL)
Robert L. Price

Glenda T. Price (SEAL)
Glenda T. Price

BOOK 048 PAGE 399 (SEAL)

(Execute Original Only)

1-63500 60446

BOOK 048 PAGE 400

ROBERT F. VAVRINA and JAMES D. LAUDEMAN, JR., SUBSTITUTE TRUSTEES	*	IN THE CIRCUIT COURT
	*	FOR
VS.	*	SOMERSET COUNTY
ROBERT L. PRICE and GLENDA T. PRICE, his wife	*	IN EQUITY
	*	

NON-MILITARY SERVICE AFFIDAVIT

STATE OF MARYLAND, CITY OF BALTIMORE, TO WIT:

I HEREBY CERTIFY that, before me, the subscriber, a Notary Public of said State, personally appeared Loretta M. Dembinsky, Vice President of Baltimore Federal Savings and Loan Association, and made oath in due form of law, that to the best of his/her information, knowledge and belief -

(1) Said Defendant(s) is/are not in the Military Service of the United States of America,

(2) Said Defendant(s) is/are not in the Military Service of any Nation allied with the United States of America,

(3) Said Defendant(s) has/have not been ordered to report for induction under the Selective Training and Service Act,

(4) Said Defendant(s) is/are not a member(s) of the Enlisted Reserve Corps who has/have been ordered to report for Military Service.

BALTIMORE FEDERAL SAVINGS AND LOAN ASSOCIATION

BY: Loretta M. Dembinsky
Loretta M. Dembinsky, Vice President

Affiant

Subscribed and sworn to before me this

6th day of May, 19 82.

BRADFORD CARNEY
Notary Public

BRADFORD CARNEY NOTARY PUBLIC BALTIMORE COUNTY MD

SUBSTITUTE TRUSTEES BOND

S - 24

Vavrina vs. Price
In Equity 11,333
212 S. Somerset Avenue

KNOW ALL MEN BY THESE PRESENTS, THAT we, Robert F. Vavrina and James D. Laudeman, Jr., 210 E. Redwood Street, Baltimore, Maryland 21202

as principal, and the FIREMAN'S FUND INSURANCE COMPANY, a body corporate, duly incorporated under the laws of the State of California, as surety, are held and firmly bound unto the STATE OF MARYLAND, in the full and just sum of Thirty-six Thousand

($ 36,000.00) Dollars, to be paid to the said State or its certain Attorney, to which payment well and truly to be made and done, we bind ourselves and each of us, our and each of our heirs, executors, administrators, successors or assigns, jointly and severally, firmly by these presents, sealed with our seals and dated this 13th day of August, in the year of our Lord 1982.

WHEREAS, the above bounden Robert F. Vavrina and James D. Laudeman, Jr., Substitute Trustees,

by virtue of the power contained in a ~~mortgage~~ deed of trust from Robert L. Price and wife to Edwin M. Hurd, et al, Trustees

bearing date the 18th day of November, 1980,

and recorded among the Land Records of Somerset County,

in Liber No. ITP 325, Folio 94 and by Appointment of Substitute Trustees dated May 13, 1982, and recorded among the aforesaid Land Records prior hereto, wherein said Substitute Trustees replaced the Trustees of record,

is about to sell the land and premises described in said ~~mortgage~~ deed of trust, default having been made in the payment of the money as specified, and in the conditions and covenants therein contained.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the above bounden Robert F. Vavrina and James D. Laudeman, Jr.

do and shall well and truly and faithfully perform the trust reposed in them under the ~~mortgage~~ deed of trust aforesaid, and shall abide by and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of said property, or the proceeds thereof, then the above obligation to be void; otherwise to be and remain in full force and virtue in law.

IN TESTIMONY WHEREOF, the above bounden Robert F. Vavrina and James D. Laudeman, Jr.

~~they~~ have hereto set their hand s and seal s and the said body corporate has caused these presents to be duly signed by its duly authorized agent and attorney-in-fact, the day and year first herein above written.

Signed, sealed and delivered
in the presence of

Janice MacDonald
Janice MacDonald, Witness as to both Principals

Robert F. Vavrina (SEAL)

James D. Laudeman, Jr. (SEAL)

FIREMAN'S FUND INSURANCE COMPANY

As to Surety

Cynthia M. Rehr
Cynthia M. Rehr

by

Rose B. Faulhaber
Attorney-in-fact
Rose B. Faulhaber

THE WITHIN BOND APPROVED.

PER: J. Theodore Phelps, CLERK.

BOOK 048 PAGE 401

Bond Book No. 11, Page 149

GENERAL POWER OF ATTORNEY

BOOK 048 PAGE 402

FIREMAN'S FUND INSURANCE COMPANY

KNOW ALL MEN BY THESE PRESENTS: That FIREMAN'S FUND INSURANCE COMPANY, a Corporation duly organized and existing under the laws of the State of California, and having its principal office in the City and County of San Francisco, in said State, has made, constituted and appointed, and does by these presents make, constitute and appoint

FRANK R. CEILER, ROSE B. FAULHABER, CAROL CONNOLLY, JOHN P. TIMMENY
and CYNTHIA M. REHR
BALTIMORE, MD jointly or severally

its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, seal, acknowledge and deliver any and all bonds, undertakings, recognizances or other written obligations in the nature thereof ----------

and to bind the Corporation thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate seal of the Corporation and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises.

This power of attorney is granted pursuant to Article VIII, Section 30 and 31 of By-laws of FIREMAN'S FUND INSURANCE COMPANY now in full force and effect.

"Article VIII, *Appointment and Authority Assistant secretaries, and Attorney-in-Fact and Agents to accept Legal Process and Make Appearances.*

Section 30, *Appointment.* The Chairman of the Board of Directors, the President, any Vice-President or any other person authorized by the Board of Directors, the Chairman of the Board of Directors, the President or any Vice-President, may, from time to time, appoint Resident Assistant Secretaries and Attorneys-in-Fact to represent and act for and on behalf of the Corporation and Agents to accept legal process and make appearances for and on behalf of the Corporation.

Section 31, *Authority.* The Authority of such Resident Assistant Secretaries, Attorneys-in-Fact, and Agents shall be as prescribed in the instrument evidencing their appointment, and any such appointment and all authority granted thereby may be revoked at any time by the Board of Directors or by any person empowered to make such appointment."

This power of attorney is signed and sealed under and by the authority of the following Resolution adopted by the Board of Directors of FIREMAN'S FUND INSURANCE COMPANY at a meeting duly called and held on the 15th day of July, 1966, and said Resolution has not been amended or repealed:

"RESOLVED, that the signature of any Vice-President, Assistant Secretary, and Resident Assistant Secretary of this Corporation, and the seal of this Corporation may be affixed or printed on any power of attorney, on any revocation of any power of attorney, or on any certificate relating thereto, by facsimile, and any power of attorney, any revocation of any power of attorney, or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Corporation."

IN WITNESS WHEREOF, FIREMAN'S FUND INSURANCE COMPANY has caused these presents to be signed by its Vice-President,

and its corporate seal to be hereunto affixed this 17th day of August, 19 81.

FIREMAN'S FUND INSURANCE COMPANY

By Richard Williams
Vice-President

STATE OF CALIFORNIA,
CITY AND COUNTY OF SAN FRANCISCO } ss.

On this 17th day of August, 19 81, before me personally came Richard Williams, to me known, who, being by me duly sworn, did depose and say: that he is Vice-President of FIREMAN'S FUND INSURANCE COMPANY, the Corporation described in and which executed the above instrument; that he knows the seal of said Corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Corporation and that he signed his name thereto by like order.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year herein first above written.

OFFICIAL SEAL
SUSIE K. GILBERT
NOTARY PUBLIC - CALIFORNIA
CITY & COUNTY OF SAN FRANCISCO
My Commission Expires Nov. 17 1984

Susie K. Gilbert
Notary Public

CERTIFICATE

STATE OF CALIFORNIA,
CITY AND COUNTY OF SAN FRANCISCO } ss.

FILED
AUG 20 8 58 AM '82
FOLIO 149
RECORDER-CLERK, CLK. CT. ST.
BY JMC DEPUTY

I, the undersigned, Resident Assistant Secretary of FIREMAN'S FUND INSURANCE COMPANY, a CALIFORNIA Corporation, DO HEREBY CERTIFY that the foregoing and attached POWER OF ATTORNEY remains in full force and has not been revoked; and furthermore that Article VIII, Sections 30 and 31 of the By-laws of the Corporation, and the Resolution of the Board of Directors, set forth in the Power of Attorney, are now in force.

Signed and sealed at the City and County of San Francisco, Dated the 13th day of August, 19 82.

Loretta E. Onetty
Resident Assistant Secretary

360711-FF-5-81

Boro Book 11 Page 150

ROBERT F. VAVRINA and	:	IN THE CIRCUIT COURT FOR
JAMES D. LAUDEMAN, JR., SUBSTITUTE TRUSTEES	:	SOMERSET COUNTY
VS.	:	
Robert L. Price and	:	EQUITY CASE NO. 11,333
Glenda T. Price	:	
	:	

::::::::::::

AUCTIONEER'S AFFIDAVIT

I, the undersigned, do hereby certify that the annexed bill or statement of the fees and sums due me, set forth in detail, are all and singular of the fees and sums due me, and that I have not paid or will not pay, directly or indirectly, any sum or consideration to anyone for employing me or aiding me to be employed to make the sale for which the annexed bill or statement was rendered.

Peter E. Richardson, Auctioneer

Peter E. Richardson, Auctioneer

Subscribed and sworn to before me this 24th day of August, 19 82.

EMORY H. ADKINS NOTARY PUBLIC WICOMICO CO., MD.

Emory H. Adkins
Notary Public
Wicomico County, Md.
My Commission Expires 7/1/86

Vavrina vs. Price
In Equity 11,333
212 S. Somerset Avenue

PETE RICHARDSON AUCTION SALES

PETE RICHARDSON, *Auctioneer*

OFFICE (301) 546-2425
HOME (301) 742-6220
MOBILE (301) 742-0110
EXT. 0813

P. O. BOX 51
WILLARDS, MARYLAND 21874

BOOK 048 PAGE 404

August 24, 1982

Callahan, Calwell & Laudeman
210 E. Redwood St.
Baltimore, Md. 21202

To:

Peter E. Richardson
P. O. Box 51
Willards, Md . 21874

Auctioneer's Fee: Property of Robert L. Price and Glenda T. Price, 212 S. Somerset Ave., Princess Anne, Md., on August 24, 1982 ---------- $125.00

COPY

"WE DO THEM ALL, LARGE OR SMALL, AND THE PRICE IS RIGHT"

ROBERT F. VAVRINA and JAMES D. LAUDEMAN, JR., SUBSTITUTE TRUSTEES	*	IN THE CIRCUIT COURT
	*	FOR
VS.	*	SOMERSET COUNTY
ROBERT L. PRICE and GLENDA T. PRICE, his wife	*	IN EQUITY 11,333
	*	

PURCHASER'S AFFIDAVIT

STATE OF MARYLAND, CITY/~~COUNTY~~ OF BALTIMORE, TO WIT:

I HEREBY CERTIFY that on this 30th day of August, 19 82, before me, the subscriber, a Notary Public of the State of Maryland, personally appeared James A. Kane, Asst. Vice President of Baltimore Federal Savings and Loan Association, purchaser(s) at the foreclosure sale in this cause, and made oath in due form of law (that ~~he/she~~ it is ~~/are~~ the purchaser(s) and purchased the same as principal and not as agent for anyone)

~~XXXX

ROBERT F. VAVRINA and JAMES D. LAUDEMAN, JR., SUBSTITUTE TRUSTEES	*	IN THE CIRCUIT COURT
	*	FOR
VS.	*	SOMERSET COUNTY
ROBERT L. PRICE and GLENDA T. PRICE, his wife	*	IN EQUITY 11,333
	*	

AFFIDAVIT OF NOTICE

STATE OF MARYLAND, CITY OF BALTIMORE, TO WIT:

I HEREBY CERTIFY that, before me, the subscriber, a Notary Public of said State, personally appeared Robert F. Vavrina and James D. Laudeman, Jr., Substitute Trustees, authorized to make sale of property herein, and made oath in due form of law that they have given notice by certified mail, to the defendant(s), to the present record owner(s), and to those holders of subordinate mortgages or security interests entitled to notice, at their last known address, of the time, place and terms of sale of the property reported herein, in compliance with Rule W74 a 2 (c) of the Maryland Rules of Procedure.

Robert F. Vavrina

James D. Laudeman, Jr.
Substitute Trustees
Affiants

Subscribed and sworn to before me,

this 25th day of August, 1982

JEFFREY H. DUNN Notary Public

JEFFREY H. DUNN
NOTARY PUBLIC
HOWARD COUNTY

ROBERT F. VAVRINA and JAMES D. LAUDEMAN, JR., SUBSTITUTE TRUSTEES	*	IN THE CIRCUIT COURT
	*	FOR
VS.	*	SOMERSET COUNTY
ROBERT L. PRICE and GLENDA T. PRICE, his wife	*	IN EQUITY 11,333
	*	

REPORT OF SALE

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The Report of Sale of Robert F. Vavrina and James D. Laudeman, Jr., Substitute Trustees, in Deed of Trust dated November 18, 1980 and recorded among the Land Records of Somerset County in Liber ITP 325, folio 94, from the Defendant(s) herein to Edwin M. Hurd and David C. McElroy, Trustee(s), the Trustee(s) of record having been removed and the Plaintiffs herein substituted in place thereof by instrument dated May 13, 1982 and duly recorded among the aforesaid Land Records, said Deed of Trust and Deed of Appointment having been filed in said cause pending, respectfully shows —

That after giving Bond, with security for the faithful discharge of their trust, which was duly filed and approved, and having given notice of the time, place, manner and terms of sale, by advertisements inserted in The Marylander & Herald, a weekly newspaper published in Somerset County, for three successive weeks preceeding the day of sale, Robert F. Vavrina, one of said Substitute Trustees, under and by virtue of the power and authority contained in said Deed of Trust, (after default having occurred thereunder) did, pursuant to said notice, on August 24, 1982 at 10:50 o'clock A. M., attend XXXXXXX XXXXXXXXXXXXXXXXXX on the premises and then and there sold the fee simple XXXXXXXXXX property situate, lying and being in Somerset County, Maryland, known as 212 S. Somerset Avenue;

more particularly and at length described in the aforementioned Deed of Trust, and in the attached copy of advertisement of sale.

The property was sold to Baltimore Federal Savings and Loan Association, in fee simple XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX at and for the sum of Thirty-three Thousand and 00/100ths Dollars ($ 33,000.00), said purchaser(s) being then and there the highest bidder.

Robert F. Vavrina

James D. Laudeman, Jr.

Substitute Trustees

STATE OF MARYLAND, CITY OF BALTIMORE, TO WIT:

I HEREBY CERTIFY, That on this 25th day of August, 19 82, before me, the subscriber, a Notary Public of the State of Maryland, personally appeared Robert F. Vavrina and James D. Laudeman, Jr., Substitute Trustees, and made oath in due form of law that the facts stated in the aforegoing Report of Sale are true, as therein set forth, and that the sale thereby reported was fairly made.

AS WITNESS my hand and Notarial Seal.

Notary Public

JEFFREY H. DUNN

JEFFREY H. DUNN NOTARY PUBLIC HOWARD COUNTY

CALLAHAN CALWELL & LAUDEMAN
Solicitors
210 E. Redwood Street
Baltimore, Md. 21202
301-539-6841

SUBSTITUTE TRUSTEES' SALE OF VALUABLE, FEE SIMPLE, DWELLING PROPERTY 212 S. SOMERSET AVENUE PRINCESS ANNE, SOMERSET COUNTY, MD.

Under and by virtue of the power and authority contained in a Deed of Trust from Robert L. Price and Glenda T. Price, his wife, to Edwin M. Hurd and David C. McElroy, Trustees, dated November 18, 1980, and recorded among the Land Records of Somerset County in Liber ITP 325, Folio 94, default having occurred thereunder, and at the request of the party secured thereby, the undersigned, Substitute Trustees, will sell at public auction on the premises, on

TUESDAY, AUGUST 24, 1982 AT 10:50 O'CLOCK A.M.

all that fee simple property and the improvements thereon, situate in County, and described as follows:

All that lot or parcel of land, situate, lying and being in the Town of Princess Anne in West Princess Anne Election District for Somerset County, State of Maryland, and being located along and binding upon the Westerly line of Somerset Avenue and having a frontage thereon of 60 feet; the most Northerly line thereof having a length of 219.25 feet and the most Southerly line thereof having a length of 218.67 feet; and having a width in the rear of 60 feet in Church Street and being more particularly shown and designated on a Location Survey prepared for Robert Lee Price by Dixon, Stoehr and Associates, R.L.S. on November 14, 1980, which is attached to and recorded with deed hereinafter referred to:

Together with all the buildings thereon, and all the rights, alleys, ways, waters, privileges, appurtenances and advantages thereunto belonging, or in anywise appertaining.

Subject to covenants, conditions, restrictions, easements, etc., and utility agreements of record, if any, affecting the property.

The property is improved by a detached, 2½ story, frame dwelling.

TERMS OF SALE: A cash, certified or cashier's check deposit of $3,000.00 will be required of the purchaser at the time and place of sale, balance of purchase price upon final ratification of sale by the Circuit Court for Somerset County and to bear interest at the rate of eight percent per annum from date of sale to date of settlement. The purchaser will be required to complete settlement of the purchase within five days of the ratification of the sale by the Court otherwise the property will be resold at the risk and expense of the purchaser. Taxes, public charges and assessments, ground rent and water rent to be adjusted to date of sale. All such taxes, public charges and assessments, payable on an annual basis, including sanitary and/or metropolitan district charges to be adjusted for the current year to date of sale and assumed thereafter by the purchaser. Cost of all documentary stamps and transfer taxes, if any, shall be borne by the purchaser.

ROBERT F. VAVRINA
JAMES D. LAUDEMAN, JR.
SUBSTITUTE TRUSTEES

PETE RICHARDSON AUCTION SALES
301-546-2425

3 tc 8/5

BOOK 048 PAGE 410

ORDER NISI

ROBERT F. VAVRINA and JAMES D. LAUDEMAN, JR., SUBSTITUTE TRUSTEES	*	IN THE CIRCUIT COURT
	*	FOR
VS.	*	SOMERSET COUNTY
ROBERT L. PRICE and GLENDA T. PRICE, his wife	*	IN EQUITY 11,333
	*	

ORDERED, by the Circuit Court for Somerset County, this 7th day of September, 19 82, that the sale ____ of the property mentioned in these proceedings, made and reported by Robert F. Vavrina and James D. Laudeman, Jr., Substitute Trustees, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 7th day of October, 19 82, provided a copy of this order be inserted in some newspaper printed and published in Somerset County, once in each of three successive weeks before the said 7th day of October, 19 82.

The report states the amount of sale to be $ 33,000.00.

I. Theodore Phoebus

I. Theodore Phoebus,
Clerk of the Circuit Court for Somerset County

BOOK 048 PAGE 411

PRINCESS ANNE, MD., Oct 6 1982

This is to certify that the annexed Notice

has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Notice

Dates Inserted: Sept 16, 23, 30 1982

Business Manager MARYLANDER and HERALD

ROBERT F. VAVRINA and JAMES D. LAUDEMAN, JR., Substitute Trustees

vs.

ROBERT L. PRICE and GLENDA T. PRICE, his wife

ORDER NISI

IN THE CIRCUIT COURT FOR SOMERSET COUNTY IN EQUITY 11,333

ORDERED, by the Circuit Court for Somerset County, this 7th day of September, 1982, that the sale of the property mentioned in these proceedings, made and reported by Robert F. Vavrina and James D. Laudeman, Jr., Substitute Trustees, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 7th day of October, 1982, provided a copy of this order be inserted in some newspaper printed and published in Somerset County, once in each of three successive weeks before the said 7th day of October, 1982.

The report states the amount of sale to be $33,000.00.

I. THEODORE PHOEBUS
Clerk of the Circuit Court for Somerset County

True Copy Test:
I. Theodore Pheobus
Clerk
3tc 9/16

BOOK 048 PAGE 412

PRINCESS ANNE, MD., Aug 18 1982

This is to certify that the annexed Notice has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Notice

Dates Inserted: Aug 5, 12, 19 1982

Business Manager MARYLANDER and HERALD

N CALWELL & LAUDEMAN
[illegible]
[illegible] Street
Baltimore, Md. 21202
301-539-6841

SUBSTITUTE TRUSTEES' SALE
OF
VALUABLE, FEE SIMPLE,
DWELLING PROPERTY
212 S. SOMERSET AVENUE
PRINCESS ANNE,
SOMERSET COUNTY, MD.

Under and by virtue of the power and authority contained in a Deed of Trust from Robert L. Price and Glenda T. Price, his wife, to Edwin M. Hurd and David C. McElroy, Trustees, dated November 18, 1980, and recorded among the Land Records of Somerset County in Liber ITP 325, Folio 94, default having occurred thereunder, and at the request of the party secured thereby, the undersigned, Substitute Trustees, will sell at public auction on the premises, on

TUESDAY, AUGUST 24, 1982
AT 10:50 O'CLOCK A.M.

all that fee simple property and the improvements thereon, situate in County, and described as follows:

All that lot or parcel of land, situate, lying and being in the Town of Princess Anne in West Princess Anne Election District for Somerset County, State of Maryland, and being located along and binding upon the Westerly line of Somerset Avenue and having a frontage thereon of 60 feet; the most Northerly line thereof having a length of 219.25 feet and the most Southerly line thereof having a length of 218.67 feet; and having a width in the rear of 60 feet in Church Street and being more particularly shown and designated on a Location Survey prepared for Robert Lee Price by Dixon, Stoehr and Associates, R.L.S. on November 14, 1980, which is attached to and recorded with deed hereinafter referred to:

Together with all the buildings thereon, and all the rights, alleys, ways, waters, privileges, appurtenances and advantages thereunto belonging, or in anywise appertaining.

Subject to covenants, conditions, restrictions, easements, etc., and utility agreements of record, if any, affecting the property.

The property is improved by a detached, 2½ story, frame dwelling.

TERMS OF SALE: A cash, certified or cashier's check deposit of $3,000.00 will be required of the purchaser at the time and place of sale, balance of purchase price upon final ratification of sale by the Circuit Court for Somerset County and to bear interest at the rate of eight percent per annum from date of sale to date of settlement. The purchaser will be required to complete settlement of the purchase within five days of the ratification of the sale by the Court otherwise the property will be resold at the risk and expense of the purchaser. Taxes, public charges and assessments, ground rent and water rent to be adjusted to date of sale. All such taxes, public charges and assessments, payable on an annual basis, including sanitary and/or metropolitan district charges to be adjusted for the current year to date of sale and assumed thereafter by the purchaser. Cost of all documentary stamps and transfer taxes, if any, shall be borne by the purchaser.

ROBERT F. VAVRINA
JAMES D. LAUDEMAN, JR.
SUBSTITUTE TRUSTEES

PETE RICHARDSON AUCTION SALES
301-546-2425

3 tc 8/5

ROBERT F. VAVRINA and JAMES D. LAUDEMAN, JR., SUBSTITUTE TRUSTEES	*	IN THE CIRCUIT COURT
	*	FOR
VS.	*	SOMERSET COUNTY
ROBERT L. PRICE and GLENDA T. PRICE, his wife	*	IN EQUITY 11,333
	*	

ORDER OF SALE RATIFICATION

ORDERED, By the Circuit Court for Somerset County, this 18th day of Oct., 19 82, that the sale made by Robert F. Vavrina and James D. Laudeman, Jr., Substitute Trustees, for the sale of the Real Estate described in the proceedings in the above entitled cause, and reported by said Substitute Trustees to this Court, be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown, although due notice appears to have been given as required by the Order Nisi passed in said cause, and that the Substitute Trustees be allowed the usual commissions and all proper expenses for which they shall produce vouchers to the Auditor.

Lloyd L. Simpkins
Judge

BOOK 048 PAGE 413

BOOK 048 PAGE 414

ROBERT F. VAVRINA and JAMES D. LAUDEMAN, JR., SUBSTITUTE TRUSTEES Plaintiffs vs. ROBERT L. PRICE and GLENDA T. PRICE, his wife Defendants	*	IN THE CIRCUIT COURT FOR SOMERSET COUNTY STATE OF MARYLAND IN EQUITY 11,333

FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he made an examination of the proceedings in the above entitled cause and from them and the list of expenses furnished him therein, states the following Account:

Amount of Sale		$ 33,000.00
Interest from Date of Sale to Settlement		433.55
		$ 33,433.55
Fees, Costs, Expenses, Etc.:		
I. Theodore Phoebus, Court Costs		$ 140.00
Pete Richardson, Auctioneer		125.00
Earl A. Klein Agency, Inc., Bond		144.00
Marylander and Herald		
Order Nisi	50.00	
Advertising	180.00	230.00
Trustee's Commission (5% of $33,000.00)		1,650.00
Auditor's Fee		65.00
State and County Taxes 1982-83		59.89
Somerset County Sanitary District		19.08
Town of Princess Anne Taxes		12.49
Postage		5.30
Notary Fees		5.00
Judgement Reports		3.00
Total Fees, Costs, Expenses, Etc.	2,458.76	
Balance to be Distributed		$ 30,974.79
Mortgage Debt		
Balance due per Statement of Deed of Trust	$30,726.66	
Interest per diem $11.52 from 5/6/82 to 11/23/82	2,315.52	
Total Mortgage Debt	$33,042.18	
Deficit		2,067.39

ALL EXCEPTIONS to said report must be filed within fifteen (15) days of the date of filing; if no exceptions are filed, the Account may be ratified.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing on the date of the filing of the Audit notice of this report to the following parties by regular U.S. mail:

Robert L. Price
c/o Edward Price
Rt. #2
Princess Anne, MD 21853

Glenda T. Price
212 South Somerset Ave.
Princess Anne, MD 21853

Robert F. Vavrina, Esq.
James D. Laudeman, Jr., Esq.
Law Offices of Callahan, Calwell & Laudeman
210 East Redwood Street
Baltimore, MD 21202

Logan C. Widdowson, Auditor

Filing Date: 11/8/82

LOGAN C. WIDDOWSON
ATTORNEY AT LAW
NORTH SOMERSET AVENUE
PRINCESS ANNE, MD. 21853
651-3600

LCW/gjb
11/8/82
82 # 124

No. 11,333 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 8th day of November, 19 82 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the 23rd day of November, 19 82.

J. Theodore Tholen
CLERK

No exceptions having been filed, and no cause to the contrary having been shown, IT IS ORDERED by the Circuit Court for Somerset County, in Equity, this _____ day of _____, 19_____ that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

_____
CLERK

BOOK 048 PAGE 416

ROBERT F. VAVRINA and JAMES D. LAUDEMAN, JR., SUBSTITUTE TRUSTEES	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COUNTY
Plaintiffs	*	STATE OF MARYLAND
vs.	*	IN EQUITY 11,333
ROBERT L. PRICE and GLENDA T. PRICE, his wife	*	
Defendants	*	

AMENDED AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he made an examination of the proceedings in the above entitled cause and from them and the list of expenses furnished him therein, states the following Account:

Amount of Sale		$ 33,000.00
Interest from Date of Sale to Settlement		433.55
		$ 33,433.55
Fees, Costs, Expenses, Etc.:		
I. Thoedore Phoebus, Court Costs		$ 155.00
Pete Richardson, Auctioneer		125.00
Earl A. Klein Agency, Inc., Bond		144.00
Marylander and Herald		
Order Nisi	50.00	
Advertising	180.00	230.00
Trustee's Commission (5% of $33,000.00)		1,650.00
Auditor's Fee		65.00
State and County Taxes 1982-83		59.89
Somerset County Sanitary District		19.08
Town of Princess Anne Taxes		12.49
Postage		5.30
Notary Fees		5.00
Judgement Reports		3.00
Total Fees, Costs, Expenses, Ect.		2,473.76
Balance to be Distributed		$ 30,959.79
Mortgage Debt		
Balance due per Statement of Deed of Trust		$30,726.66
Interest per diem $11.52 from 11/1/81 through 11/23/82		4,458.24
		35,184.90
Less Balance in Expense Account		-54.13
Total Mortgage Debt		35,130.77
Deficit		4,170.98

ALL EXCEPTIONS to said report must be filed within fifteen (15) days of the date of filing; if no exceptions are filed, the Account may be ratified.

YOUR AUDITOR hereby certififes that the Maryland Rules of Procedure have been complied with by mailing on the date of the filing of the Audit notice of this report to the following parties by regular U.S. mail:

Robert L. Price
c/o Edward Price
Rt. #2
Princess Anne, MD 21853

Glenda T. Price
212 S. Somerset Ave.
Princess Anne, MD 21853

Robert F. Vavrina, Esquire
James D. Laudeman, Jr., Esq.
Law Offices of Callahan, Calwell & Laudeman
210 East Redwood Street
Baltimore, MD 21202

Date of Filing: 11/17/82

Logan C. Widdowson, Auditor

LOGAN C. WIDDOWSON
ATTORNEY AT LAW
NORTH SOMERSET AVENUE
PRINCESS ANNE, MD. 21853
651-3600

LCW/gjb
11/17/82
82 # 125

No. 11,333 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 17th day of November, 19 82 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the 2nd day of December, 19 82.

CLERK

No exceptions having been filed, and no cause to the contrary having been shown, IT IS ORDERED by the Circuit Court for Somerset County, in Equity, this 2 day of December, 19 82 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

CLERK

MAR 22 1984

Exd.

APR -2-82 B 022754D*****10.00
APR 2-82 B 022753D*****60.00
BOOK 013 PAGE 418

In the Matter of the Foreclosure of a Mortgage from Edwin B. Sinclair and Dorothy R. Sinclair	:	NO. 11274 CHANCERY
	:	IN THE CIRCUIT COURT FOR
	:	SOMERSET COUNTY, MARYLAND
Ex Parte	:	

: : : : : :

ORDER TO DOCKET

MR. CLERK:

Please docket suit as above, file the attached mortgage for foreclosure and file the Affidavit of Debt.

Thomas S. Simpkins
51 N. Somerset Ave.
Princess Anne, Md. 21853

308/190

FOR MORTGAGE SEE LIBER ITP NO. 308 PAGE 190

FOR ASSIGNMENT SEE LIBER ITP NO. 332 PAGE 54

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. SOMERSET AVE.
P.O. BOX 207
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

In the Matter of the Foreclosure of a Mortgage from Edwin B. Sinclair and Dorothy R. Sinclair

Ex Parte

: NO. 11274 CHANCERY

: IN THE CIRCUIT COURT FOR

: SOMERSET COUNTY, MARYLAND

: : : : : : :

AFFIDAVIT OF DEBT

STATE OF MARYLAND, COUNTY OF SOMERSET, SS:

I hereby certify, that on this 2nd day of April 1982, before me, the subscriber, a notary public in and for the state and county aforesaid, personally appeared Hilda Pusey Sturgis, one of the owners of the mortgage from Edwin B. Sinclair and Dorothy R. Sinclair dated June 23rd, 1978, and recorded among the Land Records of Somerset County, Maryland, in Liber 308, page 190, et seq., who first being duly sworn according to law, deposes and says that there is justly due and owing on said mortgage the sum of Seventy-four Thousand Five Hundred Sixty Dollars and Thirty-seven Cents [$74,560.37] principal with interest thereon at the rate of eight-and-one-half percentum per annum in the amount of Six Hundred Seventy-seven Dollars and four cents [$677.04] to April 2, 1982, and at $17.36 per diem thereafter.

As Witness my hand and Notarial Seal.

Jean Taylor

Jean Taylor

My commission expires July 1, 1982

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. SOMERSET AVE.
P.O. BOX 207
PRINCESS ANNE, MD. 21853

TELEPHONE 651-1400

JEAN TAYLOR NOTARY PUBLIC MD.

BOOK 048 PAGE 420

WORKSHEET

Principal due on Mortgage 2/23/82	$ 74,560.37
Interest February 23 to April 2, 1982	677.04
Total Principal and Interest due as of April 2, 1982	$ 75,237.41

Per Diem thereafter $17.36

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. SOMERSET AVE.
P.O. BOX 207
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

IN THE MATTER OF THE FORECLOSURE OF A MORTGAGE FROM EDWIN B. SINCLAIR and DOROTHY R. SINCLAIR	* * * * * *	NO. 11,274 CHANCERY CASES IN THE CIRCUIT COURT FOR SOMERSET COUNTY STATE OF MARYLAND

* * * * * * * * *

SUGGESTION OF BANKRUPTCY

OF EDWIN B. SINCLAIR AND DOROTHY R. SINCLAIR

Come now the Defendants, Edwin B. Sinclair and Dorothy R. Sinclair, and hereby file a suggestion of bankruptcy suggesting to this Court that all further action upon the suit of the Plaintiff against the Defendants be stayed, for that:

1. On April 26, 1982, the Defendants filed a Chapter 7 Voluntary Petition in Bankruptcy in the United States District Court for the District of Maryland, said case being docketed as Bankruptcy No. 82-2-0755.

2. That under the terms and provisions of the Bankruptcy Code, 11 USC §301, the commencement of a Voluntary case in Bankruptcy consitutes an Order for Relief.

3. That under the terms and provisions of the Bankruptcy Code, 11 USC §362, a petition filed under 11 USC §301 operates as an automatic stay of all further proceedings and actions of the Plaintiff against the Defendants and against their property and against the property of the Bankrupt Estate.

John E. Jacob, Jr.
Attorney for Defendants
106 West Main Street
Salisbury, MD 21801
(301) 546-1281

Edwin B. Sinclair
Edwin B. Sinclair

Dorothy R. Sinclair
Dorothy R. Sinclair

LAW OFFICES
JOHN E. JACOB, JR.
106 W. MAIN ST.
SALISBURY, MD. 21801
TEL. 546-1281

STATE OF MARYLAND, SOMERSET COUNTY, to wit:

I HEREBY CERTIFY that on this 26th day of April, 1982, before me,

the subscriber, personally appeared Edwin B. Sinclair and Dorothy R. Sinclair, and they made oath, in due form of law, that the matters and facts set forth in the aforegoing Suggestion are true and correct.

AS WITNESS my hand and Notarial Seal.

Lynne M. Rentschler
NOTARY PUBLIC

LYNNE M. RENTSCHLER NOTARY PUBLIC SOMERSET CO., MD.

My commission expires 7/1/82

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of April, 1982, a copy of the aforegoing Suggestion of Bankruptcy was hand delivered to Thomas S. Simpkins, Attorney for Plaintiffs, 51 North Somerset Avenue, Princess Anne, Maryland 21853.

John E. Jacob, Jr.

ORDER OF COURT

The aforegoing Suggestion of Bankruptcy having been read and considered, it is thereupon, this 27th day of April, 1982, by the Circuit Court for Somerset County, Maryland, ORDERED:

THAT all further proceedings and actions of the Plaintiffs herein be and are hereby STAYED.

JUDGE

LAW OFFICES
JOHN E. JACOB, JR.
106 W. MAIN ST.
SALISBURY, MD. 21801
TEL. 546-1281

In the Matter of the Foreclosure of a Mortgage from Edwin B. Sinclair and Dorothy R. Sinclair	:	NO. 11,274 Chancery
	:	In the Circuit Court For
	:	Somerset County, Maryland

: : : : :

AFFIDAVIT

STATE OF MARYLAND, COUNTY OF SOMERSET, SS:

I do hereby certify that on this 16th day of April 1982, before me, the subscriber, a notary public in and for the state and county aforesaid, personally appeared Thomas S. Simpkins and he did depose and say:

That on April 12, 1982, he did mail an exact copy of the advertisement of sale in the above matter to: Edwin B. Sinclair and Dorothy R. Sinclair, by certified mail, as required by Rule W74(b); and that on April 12, 1982, he did also mail an exact copy of the advertisement of sale to Maryland National Bank, Salisbury, Maryland, holder of a second lien.

As Witness my hand and Notarial Seal.

Jean Taylor
Notary Public

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. SOMERSET AVE.
P.O. BOX 207
PRINCESS ANNE, MD. 21853

TELEPHONE 651-1400

AO82B
(8/79)

ORIGINAL

1042162

RECEIPT FOR PAYMENT

UNITED STATES BANKRUPTCY COURT

For The

BOOK 048 PAGE 424

_____ District of _____

RECEIVED FROM John E. Jacob, Esq.

CASE NO. OR OTHER REFERENCE 82-2-0753 DATE 4/26/82 19

ACCOUNT	AMOUNT	
Filing Fee M Sinclair	60	
Copy Fee		
Miscellaneous Fee		
Recovery: U.S. Trustee		
Recovery: Standing Trustee		
Unclaimed Funds		
Other _____ (Specify)		
TOTAL ►	60	
	CASH	CHECK ✓ / MONEY ORDER

DEPUTY CLERK J. Brooks

11080

JOHN E. JACOB, JR.
ATTORNEY AT LAW
206 BUILDING & LOAN BUILDING
SALISBURY, MARYLAND 21801
TELEPHONE
546-1281

Alice,
Please file this in Chan. # 11,274.
Thanks,
Lynne

No. 11274

BOOK 048 PAGE 425

PRINCESS ANNE, MD., Apr 24 1982

This is to certify that the annexed Notice

has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Notice

Dates Inserted: April 8, 15, 22 1982

Bryan Byrd

Business Manager MARYLANDER and HERALD

Thomas S. Simpkins
Attorney At Law
51 N. Somerset Avenue
Princess Anne, Md. 21853

MORTGAGE FORECLOSURE SALE
OF
VALUABLE COMMERCIAL PROPERTY
MOBILE HOME PARK,
BAR-RESTAURANT,
AND RESIDENCE

In East Princess Anne
Election District
Somerset County, Maryland

Under and by virtue of the power of sale contained in a mortgage from Edwin B. Sinclair and Dorothy R. Sinclair, his wife, to Charles S. Sturgis and Hilda Pusey Sturgis, his wife, dated June 23, 1978, and recorded among the Land Records of Somerset County, Maryland, in Liber 308, folio 190, default having occurred therein, I hereby give notice that I will on

APRIL 27, 1982,
at 2:30 P.M.
AT THE COURTHOUSE DOOR
PRINCESS ANNE, MARYLAND

offer the following land and improvements for sale at public auction to the highest bidder therfor:

All that lot or parcel of land situate as aforesaid, on the westerly side of and binding upon the county road leading from Antioch Avenue Extended to Dublin and on the southerly side of and binding upon Hampden Avenue Extended, and more particularly described as follows: Beginning for the outlines of the same at a stone set in the ground at the intersection of the southerly line of said Hampden Avenue Extended with the westerly line of said county road; thence running by and with the westerly line of said county road South 25°35' East a distance of 176 feet; thence continuing by and with the westerly line of said county road South 48°40' East a distance of 68.5 feet to a stone at a ditch; thence by and with said ditch South 53°40' West a distance of 330 feet to another ditch; thence by and with said ditch North 28°51' West a distance of 346.2 feet to the southerly line of said Hampden Avenue Extended; thence by and with the southerly line of said Hampden Avenue Extended North 72°2' East a distance of 322 feet to the place of beginning, containing 2.09 acres, more or less, laid down and described on a plat prepared by W. Ballard Miles, dated January 24, 1947, and recorded among the Land Records of Somerset County in Liber B. L. B. No. 139, folio 86, and being the same and all the land which was conveyed unto Edwin B. Sinclair and Dorothy R. Sinclair by Charles S. Sturgis and Hilda Pusey Sturgis, his wife, by deed dated June 23, 1978, and recorded among the Land Records aforesaid in Liber 308, folio 187.

IMPROVEMENTS

8 room frame home with 2 baths, forced air heat, asphalt shingle siding; 20' x 20' cinder block, A roof store room with concrete floor and double garage doors; 10' x 14' metal shed; 12' x 24' plywood shed with concrete floor; 40' x 40' concrete block bar and restaurant with concrete floor.

Trailer park 11 spots, water and sewer hook-ups, electricity, CATV, underground utilities.

TERMS OF SALE: $7,500.00 on day of sale by cash or certified check; balance upon ratification of sale, unpaid portion to bear interest at 12% to date of settlement. All title papers, revenue stamps, recording costs and other closing costs at the expense of the purchaser

Thomas S. Simpkins, Attorney
51 N. Somerset Avenue
Princess Anne, Maryland 21853
301-651-1400

BOOK 048 PAGE 426

In the Matter of the Foreclosure of a Mortgage from Edwin B. Sinclair and Dorothy R. Sinclair	:	NO. 11,274 CHANCERY
	:	IN THE CIRCUIT COURT FOR
	:	SOMERSET COUNTY, MARYLAND
Ex Parte	:	

: : : : :

MR. CLERK:

Please file the Motion and Show Cause Order and have the same served upon Edwin B. Sinclair and Dorothy R. Sinclair, Antioch Avenue Extended, Princess Anne, Maryland, 21853.

Thomas S. Simpkins

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. SOMERSET AVE.
P.O. BOX 207
PRINCESS ANNE, MD. 21853

TELEPHONE 651-1400

In the Matter of the Foreclosure of a Mortgage from Edwin B. Sinclair and Dorothy R. Sinclair	:	NO. 11,274 CHANCERY
	:	IN THE CIRCUIT COURT FOR
	:	SOMERSET COUNTY, MARYLAND
Ex Parte	:	

: : : : : :

MOTION FOR APPOINTMENT OF RECEIVER
AND FOR DELIVERY OF POSSESSION OF
MORTGAGED PREMISES

The Assignee and Attorney, for the purpose of foreclosure, moves this Honorable Court to appoint a receiver and order the mortgagors to deliver possession of the premises and for cause, says:

1. That on April 2, 1982, the mortgage was filed for foreclosure.

2. That one day before sale, the mortgagors declared bankruptcy arresting the sale.

3. That by Order of the U.S. District Court for Maryland, in #82-2-0755, the mortgaged property was abandoned by the Trustee and the sale was re-scheduled for October 2, 1982.

4. That although due demand has been made, the mortgagors refuse to deliver the premises to the Assignee.

5. That by virtue of paragraph (6) of the mortgage, the Assignee is entitled to the immediate appointment of a receiver and by virtue of paragraph (8) of the mortgage, the mortgagors right to possession has ceased.

WHEREFORE, the Assignee prays this Honorable Court to:

1. Issue a Show Cause Order requiring the mortgagors to Show Cause in this Court on SEPT 28, 1982 at 1 50 P.M. o'clock, why the relief prayed should not be granted.

2. Pass an Order appointing Thomas S. Simpkins receiver of the property.

THOMAS S. SIMPKINS
ATTORNEY AT LAW
81 N. SOMERSET AVE.
P.O. BOX 207
PRINCESS ANNE MD. 21853
TELEPHONE 651-1400

3. Pass an Order requiring the mortgagors to immediately deliver possession of the premises and improvements to the Assignee.

4. And for such other and further relief as the case may require.

Thomas S. Simpkins, Assignee and Attorney

STATE OF MARYLAND, COUNTY OF SOMERSET, SS:

I hereby certify that on this 21st day of September 1982, before me, the subscriber, a notary public in and for the state and county aforesaid, personally appeared Thomas S. Simpkins, Assignee and Attorney in the aforegoing proceedings, and he made oath in due form of law that the matters and facts as set forth in the foregoing Motion for Appointment of Receiver and for Delivery of Possession of Mortgaged Premises are true and correct to the best of his information, knowledge and belief.

As Witness my hand and Notarial Seal.

JEAN TAYLOR NOTARY PUBLIC SOMERSET COUNTY, MD.

Notary Public

I hereby certify that on this 22nd day of September 1982, I did forward a copy of the aforegoing to John E. Jacob, Jr., Esq., Attorney for the defendants, 106 West Main Street, Salisbury, Md., 21801, by regular U.S. Mail, postage prepaid.

Thomas S. Simpkins

THOMAS S. SIMPKINS
ATTORNEY AT LAW
31 N. SOMERSET AVE.
P.O. BOX 207
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

In the Matter of the Foreclosure of a Mortgage from Edwin B. Sinclair and Dorothy R. Sinclair	:	NO. 11, 274 CHANCERY
	:	IN THE CIRCUIT COURT FOR
	:	SOMERSET COUNTY, MARYLAND
Ex Parte	:	

: : : : :

SHOW CAUSE ORDER

UPON the aforegoing Motion and Affidavit, IT IS, this 23rd day of Sept., 1982, by the Circuit Court for Somerset County Maryland, In Equity, No. 11,274 Chancery, ORDERED that Edwin B. Sinclair and Dorothy R. Sinclair SHOW CAUSE in this Court at 1:30 P.M. o'clock on the 28th day of September 1982, why the relief prayed should not be granted.

R. D. Horsey
JUDGE

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. SOMERSET AVE.
P.O. BOX 207
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

In the Matter of the Foreclosure of a Mortgage from Edwin B. Sinclair and Dorothy R. Sinclair	:	NO. 11,274 Chancery
	:	In the Circuit Court For
	:	Somerset County
Ex Parte	:	State of Maryland

: : : : : :

AFFIDAVIT

STATE OF MARYLAND, COUNTY OF SOMERSET, SS:

I do hereby certify that on this 22nd day of September 1982, before me, the subscriber, a notary public in and for the state and county aforesaid, personally appeared Thomas S. Simpkins and he did depose and say:

That on September 21, 1982, he did mail a copy of the advertizement of sale in the above matter to: Edwin B. Sinclair and Dorothy R. Sinclair, by certified mail, as required by Rule W74(b); and that on September 22, 1982, he did also mail an exact copy of the advertizement of sale unto John E. Jacob, Esq., attorney for the defendants, 106 W. Main Street, Salisbury, Md. 21801.

As Witness my hand and Notarial Seal.

Jean Taylor
Notary Public

NOTARY PUBLIC
JEAN TAYLOR
SOMERSET COUNTY, MD.

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. SOMERSET AVE.
P.O. BOX 207
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

IN THE UNITED STATES BANKRUPTCY COURT

FOR THE DISTRICT OF MARYLAND

IN RE: *

EDWIN B. & DOROTHY R. SINCLAIR * Case No.: 82-2-0755

Debtors *

* * * * * * * * * * * * * * * *

ORDER FOR ABANDONMENT OF REAL AND PERSONAL PROPERTY

The aforegoing Petition for Abandonment of the property claimed as exempt having been read and considered, and it appearing that the Trustee in bankruptcy has approved same, it is hereby, this 10th day of SEPT., 1982, by the United States Bankruptcy Court for the District of Maryland,

ORDERED that the beer, wine and liquor license held by Edwin B. Sinclair and Dorothy R. Sinclair, the petitioners, valued at $750.00, be, and is hereby declared exempt property and any interest thereon is hereby ordered abandoned by the bankrupt estate, and

IT IS FURTHER ORDERED that the real property described in the Application for Abandonment herein, being situate and lying in the East Princess Ann Election District, Somerset County, Maryland, be and is hereby abandoned from the bankrupt estate.

James F. Schneider

JAMES F. SCHNEIDER, Bankruptcy Judge

cc: Thomas S. Simpkins, Esq.
Frederick L. Bierer, Esq.
John E. Jacob, Jr., Esq.

In the Matter of the Foreclosure of a Mortgage from Edwin B. Sinclair and Dorothy R. Sinclair	:	NO. 11, 274 CHANCERY
	:	IN THE CIRCUIT COURT FOR
	:	SOMERSET COUNTY, MARYLAND
Ex Parte	:	

: : : : : BOOK 048 PAGE 432

SHOW CAUSE ORDER

UPON the aforegoing Motion and Affidavit, IT IS, this 23rd day of Sept., 1982, by the Circuit Court for Somerset County Maryland, In Equity, No. 11,274 Chancery, ORDERED that Edwin B. Sinclair and Dorothy R. Sinclair SHOW CAUSE in this Court at 1:30 P.M. o'clock on the 28th day of September 1982, why the relief prayed should not be granted.

R. E. Horsey
JUDGE

TRUE COPY, TEST: L. Theodore Gholson Clerk

Sheriff's Return

Copy of Motion for Appointment of Receiver and for Delivery of Possession of Mortgaged Premises and Show Cause Order served upon and left with Edwin B. Sinclair and Dorothy R. Sinclair this 23 day of September 23, 1982, at Antioch Avenue Extended, Princess Anne, Md.

Sheriff/Deputy for Somerset County, Md.

THOMAS S. SIMPKINS
ATTORNEY AT LAW
31 N. SOMERSET AVE
P.O. BOX 207
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

In the Matter of the Foreclosure of a Mortgage from Edwin B. Sinclair and Dorothy R. Sinclair

Ex Parte

NO. 11,274 CHANCERY

IN THE CIRCUIT COURT FOR

SOMERSET COUNTY, MARYLAND

* * * * * * * * *

ANSWER TO MOTION FOR APPOINTMENT OF RECEIVER AND FOR DELIVERY OF POSSESSION OF MORTGAGED PREMISES AND SHOW CAUSE ORDER THEREON

Edwin B. Sinclair and Dorothy R. Sinclair, for answer to the Motion for Appointment of Receiver and for Delivery of Possession of Mortgaged Premises and the Show Cause Order thereon, says:

1. That they admit the matters and facts set forth in Paragraph 1 of said Motion.

2. That they admit the matters and facts set forth in Paragraph 2 of said Motion.

3. That they admit the matters and facts set forth in Paragraph 3 of said Motion.

4. That they voluntarily surrendered to the mortgagees the trailer park portion of the mortgaged premises several months ago, and the said mortgagees have been collecting the rents from that portion of the property ever since that time; that no demand for possession of the rest of the mortgaged premises was made at the time and has only been made within the last few days.

5. That they admit that the Assignee is entitled to the appointment of a receiver by paragraph (6) of the mortgage but deny that paragraph (8) of the mortgage gives the mortgagee any right to immediate possession; and further say that the paragraph (8) referred to in said mortgage only gives the mortgagors the right to prepay the mortgage without penalty or fee in the event the mortgage is not in default; and further answering said Paragraph 5 of said Motion, the mortgagors say that the mortgaged premises can be divided into three portions - the mobile home park, the residence, and what was the nightclub property - and the mortgage provides that the

LAW OFFICES
JOHN E. JACOB, JR., P.A.
106 W. MAIN ST.
SALISBURY, MD 21801
TEL. 546-1261

mortgagee may sell all or such part of the property as is necessary to satisfy and pay the debts, but the Motion filed herein does not allege that more of the property must be sold to satisfy the mortgage debt than that portion possession of which has already been given to the mortgagees.

6. Further answering said Motion, the mortgagors say that they are ready and willing to deliver possession of all of the property to the receiver prior to the time of the sale, and further say that no prospective bidder has been refused to make an inspection thereof and that there are no receipts from the property which would accrue to a receiver prior to the day of sale.

WHEREFORE having fully answered the Motion and Show Cause Order filed herein, your mortgagors pray that they may be dismissed hence with their costs.

Edwin B. Sinclair
EDWIN B. SINCLAIR

Dorothy R. Sinclair
DOROTHY R. SINCLAIR

LAW OFFICES
JOHN E. JACOB, JR., P.A.
106 W. MAIN ST.
SALISBURY, MD 21801

TEL. 546-1261

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28th day of September, 1982, a copy of the aforegoing Answer was hand-delivered to Thomas S. Simpkins, Esquire, 51 N. Somerset Avenue, Princess Anne, Maryland 21853.

JOHN E. JACOB, JR.

LAW OFFICES
JOHN E. JACOB, JR., P.A.
106 W. MAIN ST.
SALISBURY, MD 21801
TEL. 546-1261

In the Matter of the Foreclosure of a Mortgage from Edwin B. Sinclair and Dorothy R. Sinclair	:	NO. 11,274 CHANCERY
	:	IN THE CIRCUIT COURT FOR
	:	SOMERSET COUNTY, MARYLAND
Ex Parte	:	

: : : : :

ORDER OF COURT

UPON hearing duly held in the above matter on the 28th day of September 1982, that Thomas S. Simpkins BE and he HEREBY IS appointed Receiver without bond of the property described in the foreclosure proceedings and Edwin B. Sinclair and Dorothy R. Sinclair ARE HEREBY ORDERED to immediately deliver possession of all realty except the residence which will be delivered on or before 5 P.M. on 9/30/82, ~~the premises~~ described in said mortgage unto the Receiver.

JUDGE

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. SOMERSET AVE.
P.O. BOX 207
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

Bond Book 11 Page 54

Maryland

WESTERN SURETY COMPANY

One of America's Oldest Bonding Companies

CHICAGO • SIOUX FALLS • DALLAS
PALO ALTO • BALA-CYNWYD, PA.

11,274 Chancery

TRUSTEES, MORTGAGEES, ATTORNEYS OR FORECLOSURE BOND

KNOW ALL MEN BY THESE PRESENTS: BOND No. 50341602

That we THOMAS S. SIMPKINS, as Principal, and the WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, as Surety authorized to do business in the State of Maryland, are held and firmly bound in the sum of EIGHTY THOUSAND AND NO/100 ($80,000) Dollars, to be paid to the said State of Maryland or its certain Attorney, to which payment well and truly to be made, we bind ourselves and our legal representatives jointly and severally, by these presents.

Sealed with our seals and dated this 30th day of September, 1982.

WHEREAS, the above bounden THOMAS S. SIMPKINS by virtue of the power contained in a mortgage from Edwin Sinclair & Dorothy Sinclair to Charles S. Sturges & Hilda Pusey Sturges bearing date the 23rd day of June, 1978 and recorded among the mortgage records of Somerset County, Maryland in Liber 62378 No. 308190 Folio _____ and _____ is about to sell the land and premises described in said mortgage, default having been made in the payment of the money as specified, and in the conditions and covenants therein contained.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bounden Thomas S. Simpkins do and shall well and truly and faithfully perform the trust reposed in Him under the mortgage aforesaid, and shall abide by and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of said mortgaged property, or the proceeds thereof, then the above obligation to be void, otherwise to be and remain in full force and virtue in law.

Signed, Sealed and delivered in the presence of

As to Principal — Thomas S. Simpkins

Faith A. Bozman

As to Surety

Thos O Dryden

WESTERN SURETY COMPANY

By Donald R. Henderson

CORPORATE SEAL

Countersigned by Donald R. Henderson Maryland Resident Agent

THE WITHIN BOND APPROVED.

1268-10-68 PER: J. Theodore Shockley, CLERK.

BOOK 048 PAGE 437

POWER OF ATTORNEY

(Irrevocable)

BOND No. R-50341602

Know All Men by These Presents:

BOOK 048 PAGE 438

That this Power of Attorney is not valid or in effect unless attached to the bond which it authorizes executed, but may be detached by the approving officer if desired.

That Western Surety Company, a corporation, does hereby make, constitute and appoint Jerry W Elliot or Randall L Pryor or Vickie L Wahner or Donald L Henderson or Michael J Eusebio

in the City of Salisbury, State of Maryland, with limited authority, its true and lawful Attorney(s) in fact with full power and authority hereby conferred, to sign, execute, acknowledge and deliver for and on its behalf as Surety, one of the following bonds.

An ORIGINAL bond required by Statute, Decree of Court or Ordinance for:	MAXIMUM PENALTY
(A) ADMINISTRATOR CONSERVATOR CURATOR EXECUTOR PERSONAL REPRESENTATIVE GUARDIAN TRUSTEE — (Testamentary Only) SALE OF REAL OR PERSONAL PROPERTY —When this company has qualifying bond or when it is a separate bond for accounting of proceeds of sale only COMMISSIONER TO SELL REAL ESTATE REFEREE IN PARTITION TRUSTEE OR RECEIVER — In Bankruptcy (Excluding Chapter 11)	$1,000,000
(B) NOTARY PUBLIC PUBLIC OFFICIAL AND DEPUTIES RECEIVER — (In State Court Only)	$ 50,000
(C) PLAINTIFF'S COURT BOND — Banks, Savings & Loan, and Trust Companies — All Others, except bonds prohibited by "NOTE" below	$ 100,000 $ 20,000
(D) COST ON APPEAL) EXCLUDING OPEN PENALTY, REMOVAL OF CAUSE) STAY, SUPERSEDEAS OR GUARANTEE OF A JUDGMENT	$ 2,000
(E) LICENSE AND PERMIT Except bonds where the state is the obligee SPECIAL FUEL USERS	$ 25,000 $ 2,000
(F) ANY BOND OR INDEMNITY provided there is attached to this Power of Attorney, written authority in the form of an endorsement, letter or telegram, signed by the Chairman of the Board, President, Vice-President, Assistant Vice President, Secretary, Treasurer or Assistant Secretary of Western Surety Company specifically authorizing its execution.	

NOTE: SUPERSEDEAS, OR OPEN PENALTY OR STAY BONDS ON APPEAL OR GUARANTEE OF JUDGMENT, OR BAIL BONDS OR CONSTRUCTION BID OR CONTRACT BONDS, OR BONDS FOR DEFENDANTS ARE NOT AUTHORIZED BY THIS POWER OF ATTORNEY, except as provided in Section (F).

WESTERN SURETY COMPANY further certifies that the following is a true and exact copy of Section 7 of the By-Laws of the Western Surety Company, duly adopted and now in force, to-wit: "Section 7. All bonds, policies, undertakings or other obligations of the corporation shall be executed in the corporate name of the Company by the Chairman of the Board, President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The Chairman of the Board, President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or Agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings or other obligations of the corporation."

Dated this 12th day of November, 1981.

ATTEST C. Schmidt
Assistant Secretary

WESTERN SURETY COMPANY

By Joe P Kirby
President

STATE OF SOUTH DAKOTA }
County of Minnehaha } SS

On this 12th day of November, 1981, before me, a Notary Public, personally appeared JOE P. KIRBY, who being by me duly sworn, acknowledged that he signed the above Power of Attorney as President of the said WESTERN SURETY COMPANY and acknowledged said instrument to be the voluntary act and deed of said corporation.

My commission expires June 12, 19 88

FILED

J Rhone
Notary Public, South Dakota

I, the undersigned officer of the Western Surety Company, a stock corporation of the State of South Dakota, do hereby certify that the attached Power of Attorney is in full force and effect and is irrevocable; and further certify that Section 7 of the By-Laws of the company as set forth in the Power of Attorney, is now in force.

OCT 1 12 26 PM '82

In testimony whereof, I have hereunto set my hand and the seal of the Western Surety Company this * _____ day of _____, 19____

WESTERN SURETY COMPANY

RECORDED IN LIBER NO. 11 FOLIO 55
RECORDED PHOEBEUS, CLK. CI. CT.
By DEPUTY

*IMPORTANT: This date must be filled in before attached to the bond and it must be the same date as the bond.

Joe P Kirby
President

99—11-81 Bond Book 11, Page 55

In the Matter of the Foreclosure of a Mortgage from Edwin B. Sinclair and Dorothy R. Sinclair	:	NO. 11,274 CHANCERY
	:	IN THE CIRCUIT COURT FOR
	:	SOMERSET COUNTY, MARYLAND
Ex Parte	:	
	:	

: : : : : :

REPORT OF SALE

TO THE HONORABLE, THE JUDGE OF SAID COURT:

Thomas S. Simpkins, Attorney in the above captioned cause, duly qualified after filing his approved bond, hereby reports: That he did on October 2, 1982, at 2:30 p.m., after having given due notice as required by law, sell the land at public auction described in these proceedings, unto Charles S. Sturgis and Hilda Pusey Sturgis, for the sum of Fifty Thousand Dollars ($50,000.00), that being the highest bid therefor and that a depost of Seven Thousand Five Hundred Dollars has been paid as per terms of sale, the unpaid portion to be paid upon ratification.

Respectfully submitted,

Thomas S. Simpkins

STATE OF MARYLAND, COUNTY OF SOMERSET, SS:

I hereby certify that on this 4th day of October 1982, before me, the subscriber, a notary public in and for the state and county aforesaid, personally appeared Thomas S. Simpkins, and he did depose and say: That he was duly appointed and qualified to sell the land in the above proceedings and that he did sell the same as as hereinbefore set forth, that the sale was fairly conducted and that the Report of Sale is true and correct to the best of his information, knowledge and belief.

As Witness my hand and Notarial Seal.

BOOK 048 PAGE 439

Jean Taylor
Notary Public

THOMAS S. SIMPKINS
ATTORNEY AT LAW
31 N. SOMERSET AVE.
P.O. BOX 207
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

JEAN TAYLOR NOTARY PUBLIC SOMERSET COUNTY

BOOK 048 PAGE 440

In the Matter of the Foreclosure of a Mortgage from Edwin B. Sinclair and Dorothy R. Sinclair	:	NO. 11,274 CHANCERY
	:	IN THE CIRCUIT COURT FOR
	:	Somerset County, Maryland
Ex Parte	:	
	:	

: : : : : : :

AFFIDAVIT

STATE OF MARYLAND, COUNTY OF SOMERSET, SS:

I hereby certify that on this 4th day of October 1982, before me, the subscriber, a notary public in and for the state and county aforesaid,personally appeared Charles S. Sturgis and Hilda Pusey Sturgis, and after being duly sworn by me according to law, deposes and says:

1. That they were the purchasers at the public auction of the property in these proceedings held on October 2, 1982, at 2:30 p.m. for $50,000.00.
2. That they did not directly or indirectly discourage anyone from bidding on the property.

As Witness my hand and Notarial Seal.

Jean Taylor
Notary Public

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. SOMERSET AVE.
P.O. BOX 207
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

THOMAS S. SIMPKINS
Attorney at Law
Princess Anne. Maryland

In the Foreclosure of
a Mortgage from Edwin B.
Sinclair and Dorothy R.
Sinclair

CHANCERY NO. 11,274
In the Circuit Court For
Somerset County, Maryland

ORDER NISI

ORDERED, by the Circuit Court for Somerset County, Maryland, this 4th day of October 1982, that the sale of the property mentioned in these proceedings, made and reported by Thomas S. Simpkins, Attorney, BE RATIFIED and CONFIRMED unless cause to the contrary thereof be shown on or before the 3rd day of Nov. 1982; provided a copy of this ORDER be inserted in some newspaper published in Somerset County, Maryland, once in each of three consecutive weeks before the 22nd day of Oct. 1982.

The Report states the amount of sale to be a total of Fifty Thousand Dollars ($50,000.00).

T. Theodore Phoebus, Clerk

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. SOMERSET AVE.
P.O. BOX 207
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

BOOK 048 PAGE 442

PRINCESS ANNE, MD., Nov 1 1982

This is to certify that the annexed Notice has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Notice

Dates Inserted: Oct 7, 14, 21

J. Bryan Byrd
Business Manager MARYLANDER and HERALD

THOMAS S. SIMPKINS
Attorney at Law
Princess Anne, Md.

In the Forclosure of a Mortgage from Edwin B. Sinclair and Dorothy R. Sinclair

CHANCERY NO. 11,274

IN THE CIRCUIT COURT FOR SOMERSET COUNTY MARYLAND

ORDER NISI

ORDERED, by the Circuit Court for Somerset County, this 4th day of October 1982, that the sale of the property mentioned in these proceedings, made and reported by Thomas S. Simpkins, Attorney, be RATIFIED and CONFIRMED, unless cause to the contrary thereof be shown on or before the 3th day of November, 1982, provided a copy of this order be inserted in some newspaper published in Somerset County, once in each of three consecutive weeks before the said 22nd day of October, 1982.

The report states the amount of sale to be Fifty Thousand Dollars ($50,000.00)

I. THEODORE PHOEBUS
Clerk of the Circuit Court for Somerset County

True Copy Test:
I. Theodore Pheobus
Clerk.
3tc 10/7

In the Matter of the Foreclosure of a Mortgage from Edwin B. Sinclair and Dorothy R. Sinclair	:	NO. 11,274 CHANCERY
	:	IN THE CIRCUIT COURT FOR
	:	SOMERSET COUNTY, MARYLAND
Ex Parte	:	

: : : : :

ORDER OF RATIFICATION

UPON the Report of Sale, Affidavit and ORDER NISI which was duly published as required by Rule, and no one having shown cause to the contrary or objected thereto, IT IS, this 17th day of November 1982, ORDERED and DECREED, by the Circuit Court for Somerset County, Maryland, in #11,274 Chancery that the sale of the property mentioned in these proceedings BE and IT hereby IS RATIFIED AND CONFIRMED.

Richard M. Fuller
JUDGE

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. SOMERSET AVE.
P.O. BOX 207
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

BOOK 048 PAGE 444

In the Matter of the
Foreclosure of a Mortgage
from Edwin B. Sinclair
and Dorothy R. Sinclair

Ex Parte

IN THE CIRCUIT COURT

FOR SOMERSET COUNTY

STATE OF MARYLAND

CHANCER CASE NO. 11,274

FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he made an examination of the proceedings in the above entitled cause and from them and the list of expenses furnished him therein, states the following Account:

Amount of Sale				$ 50,000.00
Fees, Costs, Expenses, Etc.:				
I. Theodore Phoebus, Court costs			152.00	
Henderson Insurance Agency, Bond			240.00	
Marylander and Herald				
Advertising	425.04			
Order Nisi	50.00		475.04	
Wallace Dashiell, Auctioneer			150.00	
Logan C. Widdowson, Auditor			65.00	
Attorney's fee as per mortgage			75.00	
Carlos Bozman, Treasurer 1981		$1,264.25		
pro-rated 1982		311.14	1,575.39	
Carlos Bozman, personal property 1981		457.47		
pro-rated 1982		109.04	566.51	
Town of Princess Anne 1978		375.37		
1979		387.07		
1980		474.31		
1981		471.74		
pro-rated 1982		156.04	1,864.53	
Somerset County Sanitation Department			744.55	
Somerset County Water and Sewer 9/30/82			208.74	
Trustee's Commission			2,650.00	
Notary Fees			10.00	
Postage			6.20	
Total Fees, Costs, Expenses, Etc.			8,782.96	
Balance to be Distributed				41,217.04
Mortgage Debt				
Principal as of April 2, 1982			74,560.37	
Interest from 4/2/82 to 12/3/82			4,930.24	
Total Mortgage Debt			79,490.61	
Deficit				38,273.57

LOGAN C. WIDDOWSON
ATTORNEY AT LAW
NORTH SOMERSET AVENUE
PRINCESS ANNE, MD. 21853
651-3800

ALL EXCEPTIONS to said report must be filed within fifteen (15) days of the date of filing; if no exceptions are filed, the account may be ratified.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing on the date of the filing of the Audit notice of this report to the following parties by regular U.S. mail:

Edwin B. Sinclair
Antioch Avenue Extended
Princess Anne, Maryland 21853

Dorothy R. Sinclair
Antioch Avenue Extended
Princess Anne, Maryland 21853

Thomas Simpkins, Esquire
51 North Somerset Avenue
Princess Anne, Maryland 21853

Logan C. Widdowson, Auditor

Date of Filing: November 18, 1982

LOGAN C. WIDDOWSON
ATTORNEY AT LAW
NORTH SOMERSET AVENUE
PRINCESS ANNE, MD. 21853
651-3600

LCW/gjb
11/18/82
82 # 126

FILED
Nov 18 2 00 PM '82

BOOK 048 PAGE 445

BOOK 048 PAGE 446

No. 11,274 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 18th day of November, 19 82 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the 3rd day of December, 19 82.

J. Theodore Phoebus
CLERK

No exceptions having been filed, and no cause to the contrary having been shown, IT IS ORDERED by the Circuit Court for Somerset County, in Equity, this 14th day of December, 19 82 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

J. Theodore Phoebus
CLERK

MAR 22 1984

Cxd.

NOV -3-82 A 928376D*****10.00
NOV -3-82 A 928375D*****60.00

Alexander G. Jones, Assignee for the purpose of foreclosure and collection of a mortgage from Douglas J. Ward, Individually and as Attorney in Fact for Addie Marie Ward, to Peninsula Bank, a body corporate, Ex Parte	:	No. 11,404 Chancery In the Circuit Court for Somerset County, Maryland

Mr. Clerk:

Please record the assignment of the above entitled mrtgage, docket the above entitled suit and file the original mortgage among the papers therein.

Alexander G. Jones, Assignee
P. O. Box 186
Princess Anne, Maryland 21853
Telephone: 651-2747

FOR MORTGAGE SEE LIBER ITP NO. 325 PAGE 51
FOR ASSIGNMENT SEE LIBER ITP NO. 335 PAGE 51

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

Alexander G. Jones, Assignee for the prupose of foreclosure and collection of a mortgage from Douglas J. Ward, Individually and as Attorney in Fact for Addie Marie Ward, to Peninsula Bank, a body corporate, Ex Parte	:	No. 11,404 Chancery In the Circuit Court for Somerset County, Maryland

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 1st day of November, 1982, before me, the undersigned officer, personally appeared Ted M. Crockett, Vice President of Peninsula Bank, and made oath in due form of law as follows: The amount due on the above mortgage dated November 28, 1980 and recorded in Liber I.T.P. No. 325, folio 51 as of November 1, 1982 is $5513.15 with a per diem rate of $2.43 thereafter, and also made oath in due form of law that the defendant is not in the military service as hereinafter set forth and has not been in such military service referred to being as follows:

1. The military service of the United States of America or of the enlised reserve corpos thereof.

2. Ordered to report for induction under the Selective Training and Service Act of 1940 as amended.

3. The military service of any nation with which the United States of America may be allied in the prosecution of war.

As witness my hand and Notarial Seal the day and year above written.

PATSY E. AKE NOTARY PUBLIC SOMERSET CO.

Patsy E. Ake
Notary Public

Alexander G. Jones, Assignee for the purpose of foreclosure and collection of a mortgage from Douglas J. Ward, Individually and as Attorney in Fact for Addie Marie Ward, to Peninsula Bank, a body corporate, Ex Parte	:	No. 11,404 Chancery In the Circuit Court for Somerset County, Maryland

AFFIDAVIT AS TO NOTICE OF DELIVERY

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 24th day of November, in the year nineteen hundred and eighty-two, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Alexander G. Jones, pursuant to the provisions of Rule W-74 a 2 (c) and made oath in due form of law that he was and is the assignee of said mortgage for the purpose of foreclosure and collection, that on November 22, 1982, pursuant to said rule he mailed a notice of the pending foreclosure proceeding to Douglas J. Ward, 22 Cove Street, Crisfield, Maryland 21817 (Post Office Receipt No. 8172204) by certified mail which was received by Douglas J. Ward on November 23, 1982 as evidenced by the post office receipt and to Addie Marie Ward, 22 Cove Street, Crisfield, Maryland 21817 (Post Office Receipt No. 8172205) by certified mail which was received by Addie M. Ward as evidenced by the post office receipt.

The aforesaid post office receipts, and a copy of the original notice are attached hereto to be filed in this proceeding.

As witness my hand and Notarial Seal the day and year above written.

Patsy E. Akers
Notary Public

Alexander G. Jones

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

BOOK 048 PAGE 449

PS Form 3811, Jan. 1979 — RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)
- ☐ Show to whom and date delivered ..... ¢
- ☐ Show to whom, date and address of delivery ..... ¢
- ☐ RESTRICTED DELIVERY — Show to whom and date delivered ..... ¢
- ☐ RESTRICTED DELIVERY. — Show to whom, date, and address of delivery $ ____

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Douglas J. Ward
22 Cove Street
Crisfield, Md. 21817

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	8172204	

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent
X Douglas J. Ward

4. DATE OF DELIVERY
11-23-82

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS
EW

REGISTERED POSTMASTER CRIS NOV 23 1982 U.S.P.O.

☆GPO : 1979-289-848

PS Form 3811, Jan. 1979 — RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)
- ☐ Show to whom and date delivered ..... ¢
- ☐ Show to whom, date and address of delivery ..... ¢
- ☐ RESTRICTED DELIVERY — Show to whom and date delivered ..... ¢
- ☐ RESTRICTED DELIVERY. — Show to whom, date, and address of delivery $ ____

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Mrs. Addie Marie Ward
22 Cove Street
Crisfield, Md. 21817

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	8172205	

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent
Mrs Addie M. Ward

4. DATE OF DELIVERY
11-23-82

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS
EW

REGISTERED POSTMASTER CRIS NOV 23 1982 U.S.P.O.

☆GPO : 1979-289-848

P318172204

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO
Mr. Douglas J. Ward
STREET AND NO.
22 Cove Street
P.O., STATE AND ZIP CODE
Crisfield, Md. 21817

POSTAGE		$
CONSULT POSTMASTER FOR FEES — CERTIFIED FEE		¢
OPTIONAL SERVICES — SPECIAL DELIVERY		¢
OPTIONAL SERVICES — RESTRICTED DELIVERY		¢
RETURN RECEIPT SERVICE	SHOW TO WHOM AND DATE DELIVERED	¢
RETURN RECEIPT SERVICE	SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	¢
RETURN RECEIPT SERVICE	SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	¢
RETURN RECEIPT SERVICE	SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	¢
TOTAL POSTAGE AND FEES		$ 1.55
POSTMARK OR DATE		

PRINCESS ANNE, MD. NOV 22 1982

PS Form 3800, Apr. 1976

P31 8172205

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO
Mrs. Addie Marie Ward
STREET AND NO.
22 Cove Street
P.O., STATE AND ZIP CODE
Crisfield, Md. 21817

POSTAGE		$
CONSULT POSTMASTER FOR FEES — CERTIFIED FEE		¢
OPTIONAL SERVICES — SPECIAL DELIVERY		¢
OPTIONAL SERVICES — RESTRICTED DELIVERY		¢
RETURN RECEIPT SERVICE	SHOW TO WHOM AND DATE DELIVERED	¢
RETURN RECEIPT SERVICE	SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	¢
RETURN RECEIPT SERVICE	SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	¢
RETURN RECEIPT SERVICE	SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	¢
TOTAL POSTAGE AND FEES		$ 1.55
POSTMARK OR DATE		

PRINCESS ANNE, MD. NOV 22 1982

PS Form 3800, Apr. 1976

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

EDGAR A. JONES (1892-1972)
ALEXANDER G. JONES
CHARLES A. BRUCE, JR.

AREA CODE 301
TELEPHONE 651-2747

November 22, 1982

Mr. Douglas J. Ward,
individually and as
Attorney in Fact for
Addie Marie Ward
22 Cove Street
Crisfield, Maryland 21817

Mrs. Addie Marie Ward
22 Cove Street
Crisfield, Maryland 21817

COPY

Dear Mr. Ward and Mrs. Ward:

Pursuant to Rule W-74 a 2 (c), this is to inform you that proceedings have been filed in No. 11,404 Chancery in the Circuit Court for Somerset County, Maryland, for the foreclosure of a certain mortgage from Douglas J. Ward, individually and as Attorney in Fact for Addie Marie Ward to Peninsula Bank dated November 28, 1980 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 325, folio 51. The foreclosure sale is currently being advertised in The Crisfield Times, a newspaper published weekly in Somerset County, Maryland. The property described in the mortgage will be offered for sale at 2:00 P.M. on Tuesday, December 7, 1982 on the Court House steps in Princess Anne, Maryland. Terms of Sale: A deposit of $5,000.00 by cash, certified or cashier's check payable to Alexander G. Jones, Assignee, on date of sale, the balance to be due and payable within thirty days with interest at sixteen per cent on the unpaid balance or sooner at the option of purchaser. Title papers, documentary stamps, transfer tax, recording costs, etc. at the expense of purchaser. State, County and Municipal taxes will be prorated and adjusted as of date of ratification of sale. A copy of the advertisement is attached to this letter for your convenience.

Very truly yours,

Alexander G. Jones
Assignee

AGJ:pas

Enclosure

Certified Mail - Return Receipt Requested

Alexander G. Jones, Assignee for the purpose of foreclosure and collection of a mortgage from Douglas J. Ward, Individually and as Attorney in Fact for Addie Marie Ward, to Peninsula Bank, a body corporate, Ex Parte	:	No. 11,404 Chancery In the Circuit Court for Somerset County, Maryland

To the Honorable, the Judge of said Court:

The report of sales of Alexander G. Jones, Assignee of a certain mortgage made and executed by Douglas J. Ward, individually and as Attorney in Fact for Addie Marie Ward, to Peninsula Bank dated November 28, 1980 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 325, folio 51, under and by virtue of a power of sale therein contained, default having been made in the payment of the money secured by said mortgage or in the payment of the interest thereon or in some other covenant and condition in said mortgage, whereby the said mortgage debt has become due and demandable, respectfully represents to your Honor, that after giving bond with security approved by the Clerk of this Court, or by one of the Judges thereof, for the faithful performance of the trust so as reposed in him as Assignee of the said mortgage, and as required by law, and giving more than twenty days notice of the time, place, manner and terms of sale by advertisement in The Crisfield Times, a weekly newspaper published in Somerset County, once a week for four successive weeks before the day of sale, he did pursuant to said notice attend on the Court House steps in Princess Anne, Maryland, on the 7th day of December, 1982, at 2:00 P.M., then and there proceed to sell the property described in said mortgage, to wit:

All that lot or parcel of land situate in the City of Crisfield, Crisfield Election District, Somerset County, Maryland, and being located on the North side of and binding upon Cove Street and ajoining on the East the land owned or formerly owned by Joe Taylor and wife and commencing at the southwest corner of the land owned or formerly owned by said Joe Taylor and wife; and thence running in a westerly direction by and with said Cove Street a distance of one hundred thirty-five (135) feet, more or less, to the lands owned or formerly owned by Cassie Dize; thence running in a northerly direction by and with the lands owned

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

or formerly owned by the said Cassie Dize a distance of one hundred eighty-five (185) feet, more or less, to the center of a lead ditch; thence running in an easterly direction by and with the center of said lead ditch and paralleling Cove Street a distance of one hundred thirty-five (135) feet, more or less, to the lands owned of formerly owned by Joe Taylor and wife, thence running in a southerly direction by and with the said lands owned or formerly owned by Joe Taylor and wife, a distance of one hundred eighty-five (185) feet, more or less, to the place of beginning, and being the same land which was conveyed unto Douglas J. Ward by Addie Marie Ward by deed dated January 31, 1977 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 298, folio 891 in which the said Addie Marie Ward reserved a life estate, and sold same to James E. Dodson and E. Scott Tawes, trading as D & T Realty Co., at and for the sum of Two Thousand dollars ($2,000.00), they then and there being the highest bidders therefor, and the purchasers have complied with the terms of sale to the satisfaction of your Trustee.

Respectfully submitted,

Alexander G. Jones, Assignee

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 7th day of December, in the year nineteen hundred and eighty-two, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Alexander G. Jones, Assignee named in the aforegoing report of sale, and made oath in due form of law that the matters and things therein stated are true to the best of his knowledge and belief and that the sale therein reported was fairly made.

As witness my hand and Notarial Seal the day and year above written.

Patsy E. Aker
Notary Public

Alexander G. Jones, Assignee for the purpose of foreclosure and collection of a mortgage from Douglas J. Ward, Individually and as Attorney in Fact for Addie Marie Ward, to Peninsula Bank, a body corporate, Ex Parte	:	No. 11,404 Chancery In the Circuit Court for Somerset County, Maryland

PURCHASERS' AFFIDAVIT

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 7th day of December, 1982, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared James E. Dodson and E. Scott Tawes, trading as D & T Realty Co., the purchasers of the real estate in the above entitled proceeding, and made oath in due form of law:

1. That in making said purchase they were not acting as agent for anyone.

2. That others interested in said purchase, as principals, are none.

3. That they did not directly or indirectly discourage anyone from bidding for said property.

As witness my hand and Notarial Seal the day and year above written.

NOTARY PUBLIC

Patsy E. Ake
NotaryPublic

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

No. 11404

Know all men by these presents, that we, Alexander G. Jones, of Somerset County and State of Maryland, and The Fidelity and Deposit Company of Maryland, a body corporate, are held and firmly bound unto the State of Maryland, in the full and just sum of seven thousand dollars ($7,000.00) current money to be paid to the State of Maryland, or its certain attorney, to which payment well and truly to be made and done, we bind ourselves and each of us, our and each of our heirs, executors, administrators or assigns, jointly and severally firmly by these presents, sealed with our seals and dated this 6th day of December, in the year nineteen hundred and eighty-two.

Whereas, by mortgage dated November 28, 1980, and recorded among the Land Records of Somerset County in Liber I.T.P. No. 325, folio 51, Douglas J. Ward, individually and as Attorney in Fact for Addie Marie Ward conveyed to Peninsula Bank certain real estate in Somerset County to secure the payment of the sum therein mentioned; and whereas, the said Alexander G. Jones, Assignee of a certain mortgage for the purpose of foreclosure and collection of said mortgage, is authorized, upon default, to sell the property conveyed by said mortgage; and whereas, default has occurred in the terms and conditions of said mortgage and the said Alexander G. Jones is about to exercise the power of sale in said mortgage contained.

Now, therefore, the condition of the above obligation is such, that if the above bounden Alexander G. Jones, do and shall, well and faithfully perform the trust reposed in him by said mortgage and shall abide and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of the said property or the proceeds thereof, then the above obligation shall be void, otherwise to be and remain in full force and virtue in law.

Alexander G. Jones (SEAL)

THE FIDELITY AND DEPOSIT COMPANY OF MARYLAND

Witness: Patsy E. Oke By: _____ Attorney in Fact

FILED

DEC 7 1 54 PM '82

THE WITHIN BOND APPROVED.

RECORDED IN LIBER NO. ____ FOLIO ____ THEODORE PHOEBUS, CLK. CI. CT. BY _____ DEPUTY

PER: J. Theodore Phoebus, CLERK.

Bond Book 11 Page 165-

BOOK 048 PAGE 455

No. 11,404 Chancery

Area Code (302) 674-4700

BOOK 048 PAGE 456

INDEPENDENT NEWSPAPERS INCORPORATED • P.O. BOX 7001, DOVER, DEL. 19901

County of Kent :
: s.s.
State of Delaware:

Before me, a Notary Public for the County and State aforesaid, personally appeared Jennilee Grandfield of Independent Newspapers, Inc., who deposes and swears that the notice, a copy of which is hereto attached, was published in The Crisfield Times, Crisfield, Md., in its issue of November 10, 17 & 24, December 1, 1982

Jennilee Grandfield
Independent Newspapers, Inc.

Sworn to and subscribed before me this 20th day of December, A.D. 1982.

Michele R. Hicks
Notary Public

MICHELE R. HICKS
NOTARY PUBLIC
APPOINTED
TERM
2 YEARS

Jones and Jones
Attorneys At Law
Princess Anne, Md. 21853

Assignee's Sale

Of Valuable Residential Property

Under and by virtue of the power of sale contained in a mortgage from Douglas J. Ward, individually and as Attorney in Fact for Addie Marie Ward dated November 28, 1980 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 325, folio 51; default having occurred in said mortgage, I will offer at public sale on the Court House steps in Princess Anne, Maryland, on

Tuesday
December 7, 1982

At or about the hour of 2:00 p.m., all that lot or parcel of land situate in the City of Crisfield, Crisfield Election District, Somerset County, Maryland, and being located on the North side of and binding upon Cove Street and adjoining on the East the land owned or formerly owned by Joe Taylor and wife and commencing at the southwest corner of the land owned or formerly owned by said Joe Taylor and wife; and thence running in a westerly direction by and with said Cove Street a distance of one hundred thirty-five (135) feet more or less, to the lands owned or formerly owned by Cassie Dize; thence running in a northerly direction by and with the lands owned or formerly owned by the said Cassie Dize a distance of one hundred eighty-five (185) feet, more or less, to the center of a lead ditch; thence running in an easterly direction by and with the center of said lead ditch and paralleling Cove Street a distance of one hundred thirty-five feet (135), more or less to the lands owned or formerly owned by Joe Taylor and wife, thence running in a southerly direction by and with the said lands owned or formerly owned by Joe Taylor and wife, a distance of one hundred eighty-five (185) feet, more or less, more or less, to place of beginning, and being the same land which was conveyed unto Douglas J. Ward by Addie Marl.e Ward by deed dated January 31, 1977 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 298, folio 891 in which the said Addie Marie Ward reserved a life estate; the interest of both the life tenant and remainderman having been conveyed by the aforesaid mortgage and are offered for sale.

The above property will be sold subject to a first mortgage to Peninsula Bank, now in default, on which there is a balance due of approximately $28,500.00, the precise amount of which will be announced at the sale.

This property is improved by a modern home on a well landscaped lot and includes a foyer, living and dining rooms, kitchen, three bedrooms, bathroom, laundry and furnace room and two screened porches.

TERMS OF SALE: A deposit of $5,000.00 by cash, certified or cashier's check payable to Alexander G. Jones, Assignee, on date of sale, the balance to be due and payable within thirty days with interest at sixteen per cent on the unpaid balance or sooner at the option of purchaser. Title papers, documentary stamps, transfer tax, recording costs, etc. at expense of purchaser. State, County and Minicipal taxes will be p.rorated and adjusted as of date of ratification of sale.

Alexander G. Jones
Assignee
Princess Anne, Md. 21853
Telephone: 651-2747
Pete Richardson
Auctioneer
546-2485

11-10-4t

BOOK 048 PAGE 457

Jones and Jones
Attorneys At Law
Princess Anne, Md. 21853

Order Nisi

Alexander G. Jo[illegible]
[illegible] for the pur[illegible]
[illegible]ure and c[illegible]
[illegible] a mortgage [illegible]
[illegible] J. West, [illegible]
[illegible] and as Attorney [illegible]
in [illegible] for Addie M[illegible]
West, to Peninsula Ba[illegible]
a body corporate, Ex[illegible]
Party

No. 11,404 Chancery
In the Circuit Court
[illegible] County,
Md.

ORDERED by the Circuit Court for Somerset County, this 8th day of December, 1982, that the property [illegible] in these proceedings made and reported by Alexander G. Jones [illegible] for the purpose of [illegible]ure and co[illegible]d and [illegible] cause to [illegible] thereof [illegible] before the 7th [illegible]uary, 1983, pro[illegible]opy of this or[illegible]rted in so[illegible]er published [illegible]t County once [illegible] three successive [illegible] before the 3rd day [illegible]ry, 1983.

The report states the amount of sale to be $2,000.00.

I. Theodore Phoebus
Clerk of the
Circuit Court
For Somerset County,
Md.

True Copy Test:
I. Theodore Phoebus

BOOK 048 PAGE 458

CRISFIELD, MD. 1-10- 19 83

THIS is to certify that the annexed Order Nisi has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order Nisi for 3 weeks beginning with the issue of December 15, 19 82 and ending December 29, 19 82.

William A. Martin Jr.
Publisher, THE CRISFIELD TIMES

ORDER NISI

Alexander G. Jones, Assignee for the purpose of foreclosure and collection of a mortgage from Douglas J. Ward, Individually and as Attorney in Fact for Addie Marie Ward, to Peninsula Bank, a body corporate, Ex Parte	:	No. 11,404 Chancery In the Circuit Court for Somerset County, Maryland

ORDERED by the Circuit Court for Somerset County, this 8th day of December, 1982, that the sale of the property mentioned in these proceedings made and reported by Alexander G. Jones, Assignee for the purpose of foreclosure and collection, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 7th day of January, 1983, provided a copy of this order be inserted in some newspaper published in Somerset County once in each of three successive weeks before the 3rd day of January, 1983.

The report states the amount of sale to be $2,000.00.

Theodore Phoebus
Clerk of the Circuit Court for
Somerset County, Maryland

FINAL ORDER

Alexander G. Jones, Assignee for the purpose of foreclosure and collection of a mortgage from Douglas J. Ward, Individually and as Attorney in Fact for Addie Marie Ward, to Peninsula Bank, a body corporate, Ex Parte	:	No. 11,404 Chancery In the Circuit Court for Somerset County, Maryland

ORDERED by the Circuit Court for Somerset County, in Equity, this 11th day of January, 1983, that the sale of the real estate mentioned in these proceedings made and reported by Alexander G. Jones, Assigee for the purpose of foreclosure and collection, be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown although due notice appears to have been given as requimd by the Order Nisi passed in said cause.

Lloyd L. Smith
Judge

BOOK 048 PAGE 460

Alexander G. Jones, Assignee for the purpose of Foreclosure and collection of a mortgage from Douglas J. Ward, Individually and as Attorney in Fact for Addie Marie Ward, to Peninsula Bank, a body corporate, Ex Parte	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COUNTY
	*	STATE OF MARYLAND
	*	CHANCERY NO. 11,404
	*	

FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he made an examination of the proceedings in the above entitled cause and from them and the list of expenses furnished him therein, states the following Account:

Amount of Sale			$ 2,000.00
Fees, Costs, Expenses, Etc.:			
I. Theodore Phoebus, Court Costs		$ 124.00	
Fidelity & Deposit Company, Bond		30.00	
Crisfield Times			
Advertising	$136.80		
Order Nisi	42.00	178.80	
Pete Richardson, Auctioneer		75.00	
Logan C. Widdowson, Auditor		65.00	
Trustee's Commission		200.00	
City of Crisfield, Sewer Charge		24.00	
City of Crisfield 1981-82 Taxes		109.63	
City of Crisfield 1982-83 Taxes (6 months)		58.81	
1981-82 State and County Taxes		196.31	
1982-83 State and County Taxes (6 months)		106.10	
Notary Fees		6.00	
Postage		3.10	
Total Fees, Costs, Expenses, Etc.		$1,176.75	
Balance to be Distributed			$ 823.25
Mortgage Debt			
Principal	$ 5,513.15		
Interest from 11/1/82 to 12/7/82	87.48		
Interest from 12/7/82 to 2/12/83	162.81		
Total Mortgage Debt	$ 5,763.44		
Deficit			$ 4,940.19

ALL EXCEPTIONS to said report must be filed within fifteen (15) days of the date of filing; if no exceptions are filed, the account may be ratified.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing on the date of the filing of the Audit notice of this report to the following parties by regular U.S. mail:

Alexander G. Jones, Esquire	Mrs. Addie Ward	Douglas J. Ward
Somerset Avenue	22 Cove Street	22 Cove Street
Princess Anne, Maryland 21853	Crisfield, MD 21817	Crisfield, MD 21817

Logan C. Widdowson, Auditor

Date of Filing: January 26, 1983

LOGAN C. WIDDOWSON
ATTORNEY AT LAW
NORTH SOMERSET AVENUE
PRINCESS ANNE, MD. 21853
651-3600

LCW/gjb
1/26/83
83 # 129

No. 11,404 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 26th day of January, 19 83 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the 10th day of February, 19 83.

J. Theodore Phoebus
CLERK

No exceptions having been filed, and no cause to the contrary having been shown, IT IS ORDERED by the Circuit Court for Somerset County, in Equity, this 14th day of February, 19 83 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

J. Theodore Phoebus
CLERK

MAR 22 1984
Exd.

BOOK 048 PAGE 461

OCT 25-82 B 528118D*****10.00
OCT 25-82 B 528117D*****60.00

BOOK 048 PAGE 462

LLOYD O. WHITEHEAD SUBSTITUTE TRUSTEE 116 East Main Street Salisbury, Maryland 21801 Plaintiff vs. CURTIS W. SIBBY Box 285 Upper Hill, Maryland 21868 SANDERS LEWIS DENNIS 2600 Ylaman Avenue Baltimore, Md. 21202	* * *

MID-STATE HOMES, INC.

P. O. Box 22601 Tampa, Florida 33622
(813) 871-4650

ACCOUNT NUMBER 322637 DATE April 16, 1981

Please be advised that on the property covered by the above Account Number there is an existing (First Mortgage) (~~Agreement for Deed~~) executed by Sanders L. Dennis to our firm on Jun 1, 1979 and that such account has a total unpaid balance consisting of the following:

1. AMOUNT PRESENTLY DUE MID-STATE HOMES, INC. TO MAKE THIS ACCOUNT CURRENT
   a. A partial past due monthly payments of $ 3.40 each $ 3.40
   b. Insurance premium advanced by MID-STATE HOMES, INC. to avoid cancellation of coverage from _____ to _____ _____
   c. Taxes paid by MID-STATE HOMES, INC. for the year(s) _____ _____
   d. Transfer Fees ..... _____
   e. Miscellaneous _____ _____ $ _____

FUTURE MONTHLY PAYMENTS
   a. 159 Monthly payments of $ 146.80 each totaling $23,341.20
   b. Final payment ..... _____ $ _____

TOTAL UNPAID BALANCE ..... $ 23,344.60

2. In addition to the total AMOUNT PRESENTLY DUE MID-STATE HOMES, INC. TO MAKE THIS ACCOUNT CURRENT, delinquent insurance premium(s) for insurance coverage from _____ to _____ is due Best Insurors, Inc., in the amount of ..... $ _____

3. Payments are due on the 5th of each month. The last payment made on this account was for 4/5/81. Any past due payments, delinquent taxes and insurance premiums must be paid in order to make this account current. If you assume the obligation, you will be responsible for paying all the future premiums and taxes added to the account balance at present or in the future.

Upon receipt of this completed and executed form, we will instruct the agent who issued the fire and extended coverage insurance on this property to issue an endorsement on the existing policy, transferring the insurance to your name and you should receive a a copy of this endorsement shortly thereafter. We will also supply you with monthly payment cards and envelopes for your convenience.

Below is a statement that must be executed by you and your spouse, if married, and signed by two witnesses, which will enable us to transfer this account into your name. Please be sure to furnish the recording information for the deed from Sanders L. Dennis, conveying their interest in this property to you.

4. Please contact us if you have any further questions regarding this account. If you decide not to assume this property, please advise us at your earliest convenience. This notice is for informational purposes only and does not constitute an agreement by us to accept you as an obligor. It is further understood and agreed that Mid-State Homes, Inc. assumes no liability and is not responsible for any second mortgage or liens to the new owners.

Pd 20.00 2nd 10/12/81

Very truly yours,
MID-STATE HOMES, INC.

RECEIVED JUN 11 1981 MID STATE HOMES, INC.

H.R. Clarkson, Vice President

TO: MID-STATE HOMES, INC. DATE

5. We the undersigned, have assumed the obligation on the property and have agreed to pay all past due payments and all future payments on the mortgage as they come due. This mortgage and property was originally in the name of: Sanders L. Dennis.

This property has been deeded to us and the deed has been properly recorded in Book # 322 page # 182 in the County of Somerset under date of June 3, 1980.

6. We request that you change your records accordingly.

W O Ennis
Witness

Curtis Wilson Sibby
New Owner Curtis Sibby

Witness

Spouse

P. O. Box 285
Upper Hill, MD
Address

BOOK 048 PAGE 463

WHITE COPY - Complete and return to MID-STATE HOMES, INC. YELLOW COPY - Retain for your records.

(Rev 4-78)

BOOK 048 PAGE 464

LLOYD O. WHITEHEAD,
SUBSTITUTE TRUSTEE

VS.

CURTIS W. SIBBY
Box 285
Upper Hill, Maryland 21868

SANDERS LEWIS DENNIS
2600 Ylaman Avenue
Baltimore, Md. 21202

NO. 11,400 CHANCERY

IN THE CIRCUIT COURT

FOR SOMERSET COUNTY

STATE OF MARYLAND.

* * * * * * * *

AFFIDAVIT OF INDEBTEDNESS

STATE OF MARYLAND, WICOMICO COUNTY, TO WT:

I HEREBY CERTIFY that on this 13th day of October, 1982, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared LLOYD O. WHITEHEAD, Substitute Trustee, who made oath in due form of law as follows:

1. That he has been appointed Substitute Trustee for Mid-State Homes, Inc., in accordance with the provisions of a Deed of Trust from Sanders Lewis Dennis dated June 1, 1979, and recorded among the Land Records of Somerset County, Maryland in Liber I.T.P. No. 316, page 94, which said deed of trust was duly assumed by Curtis W. Sibby, by deed dated February 29, 1980, from the said Sanders Lewis Dennis, and by an unrecorded Assumption Agreement, which said deed is recorded among the Land Records of Somerset County, Maryland in Liber I.T.P. No. 322, folio 162; and on behalf of the Mortgagee, being authorized so to do, made oath, in due form of law, that the sum of $13,113.64 is now due and owing as of the date hereof with a per diem rate thereafter of $3.56 per day.

2. That the said Defendants is not a member of the Armed Forces of the United States of America or any of its allies or entitled to the benefits therein in accordance with the Soldiers' and Sailors' Relief Act and amendments thereon and have not been discharged therefrom within a period of thirty (30) days.

3. That the last known Post Office Address of the Defendants is: Box 285, Upper Hill, Maryland, 21868, as to Curtis W. Sibby; and 2600 Ylaman Avenue, Baltimore, Maryland 21202, as to Sanders Lewis Dennis.

LLOYD O. WHITEHEAD, Substitute Trustee

AS WITNESS my hand and Notarial Seal.

BEVERLY A. TILGHMAN NOTARY PUBLIC WICOMICO CO., MD.

Beverly A. Tilghman
NOTARY PUBLIC.

My Commission expires: 7/1/1986.

LAW OFFICE—LLOYD O. WHITEHEAD, PROFESSIONAL ASSOCIATION

MORTGAGEES OR TRUSTEES BOND 257050 No. 11,400 Chancery Case

KNOW ALL MEN BY THESE PRESENTS, THAT we, Lloyd O. Whitehead Trustee for purpose of foreclosure

as principal, and the FIREMAN'S FUND INSURANCE COMPANY, a body corporate, duly incorporated under the laws of the State of California, as surety, are held and firmly bound unto the STATE OF MARYLAND, in the full and just sum of Fifteen Thousand Dollars and no cents----------

($ 15,000.----------) Dollars, to be paid to the said State or its certain Attorney, to which payment well and truly to be made and done, we bind ourselves and each of us, our and each of our heirs, executors, administrators, successors or assigns, jointly and severally, firmly by these presents, sealed with our seals and dated this 11th day of November, in the year of our Lord Nineteen Hundred Eighty Three

WHEREAS, the above bounden Lloyd O. Whitehead trustee for the purpose of foreclosure

by virtue of the power contained in a mortgage - deed of trust from Sanders Lewis Dennis to MidState Homes, Inc.

bearing date the First day of June, 1979

and recorded among the Land Records of Somerset County

in Liber No. I.T.P. 316, Folio 94 and

is about to sell the land and premises described in said mortgage - deed of trust, default having been made in the payment of the money as specified, and in the conditions and covenants therein contained.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the above bounden Lloyd O. Whitehead trustee for the purpose of foreclosure

do and shall well and truly and faithfully perform the trust reposed in Lloyd O. Whitehead under the mortgage - deed of trust aforesaid, and shall abide by and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of said property, or the proceeds thereof, then the above obligation to be void; otherwise to be and remain in full force and virtue in law.

IN TESTIMONY WHEREOF, the above bounden Lloyd O. Whitehead

has - have hereto set his hand and seal and the said body corporate has caused these presents to be duly signed by its duly authorized agent and attorney-in-fact, the day and year first herein above written.

Signed, sealed and delivered
in the presence of
Faith A. Bozman

Lloyd O. Whitehead (SEAL)

(SEAL)

FIREMAN'S FUND INSURANCE COMPANY

As to Surety

Clarice Johnson

by

Vonette L. Hovatter
Attorney-in-fact Vonette L. Hovatter

THE WITHIN BOND APPROVED.

PER: L. Theodore Phoebus, CLERK.

BOOK 048 PAGE 465

Bond Book 11, Page 157

POWER OF ATTORNEY

THE AMERICAN INSURANCE COMPANY

Bond Book 11, Page 158

KNOW ALL MEN BY THESE PRESENTS: That THE AMERICAN INSURANCE COMPANY, a Corporation duly organized and existing under the laws of the State of New Jersey, and having its principal office in the County of San Francisco, California, has made, constituted and appointed, and does by these presents make, constitute and appoint

ROBBIN W. GRAY, CHARLES T. GRAY

SALISBURY, MD and VOLTA, jointly

BOOK 048 PAGE 466

its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, seal, acknowledge and deliver any and all bonds, undertakings, recognizances or other contracts of the nature thereof ----------

and to bind the Corporation thereby as fully and to the same extent as if such instruments were signed by the President, sealed with the corporate seal of the Corporation and duly attested by its Secretary, hereby ratifying and confirming all that said Attorney(s)-in-Fact may do in the premises.

This power of attorney is granted pursuant to Article VIII, Section 30 of the By-Laws of THE AMERICAN INSURANCE COMPANY now in full force and effect.

"Article VIII, *Appointment and Authority Assistant secretaries, and Attorneys-in-Fact and Agents to accept Legal Process and Make Appearances.*

Section 30, *Appointment.* The Chairman of the Board of Directors, the President, any Vice-President or any other person authorized by the Board of Directors, the Chairman of the Board of Directors, the President or any Vice-President, may, from time to time, appoint Resident Assistant Secretaries and Attorneys-in-Fact to represent and act for and on behalf of the Corporation and Agents to accept legal process and make appearances for and on behalf of the Corporation.

Section 31, *Authority.* The Authority of such Resident Assistant Secretaries, Attorneys-in-Fact, and Agents shall be as prescribed in the instrument evidencing their appointment, and any such appointment and all authority conferred thereby may be revoked at any time by the Board of Directors or by any person empowered to make such appointment."

This power of attorney is signed and sealed under and by the authority of the following Resolution adopted by the Board of Directors of THE AMERICAN INSURANCE COMPANY at a meeting duly called and held on the 28th day of September, 1966, and said Resolution has not been amended or repealed:

RESOLVED: that the signature of any Vice-President, Assistant Secretary, and Resident Assistant Secretary of this Corporation, and the seal of this Corporation may be affixed or printed on any power of attorney, on any revocation of any power of attorney, or on any certificate relating thereto by facsimile, and any power of attorney, any revocation of any power of attorney, or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Corporation.

IN WITNESS WHEREOF, THE AMERICAN INSURANCE COMPANY has caused these presents to be signed by its Vice-President and its corporate seal to be hereunto affixed this 17th day of November 19 80.

THE AMERICAN INSURANCE COMPANY

William W. Lauber
Vice-President

STATE OF CALIFORNIA,
CITY AND COUNTY OF SAN FRANCISCO } ss.

On the 17th day of November, 19 80, before me personally came William W. Lauber to me known, who, being by me duly sworn, did depose and say: that he is Vice-President of THE AMERICAN INSURANCE COMPANY the corporation described in and which executed the above instrument; that he knows the seal of said Corporation; that the seal affixed to the said instrument is such seal; that it was so affixed by order of the Board of Directors of said Corporation and that he signed his name thereto by like order.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year herein first above written.

OFFICIAL SEAL
SUSIE K. GILBERT
NOTARY PUBLIC - CALIFORNIA
CITY & COUNTY OF SAN FRANCISCO
My Commission Expires Nov. 17, 1980

Susie K. Gilbert
Notary Public

CERTIFICATE

STATE OF CALIFORNIA,
CITY AND COUNTY OF SAN FRANCISCO } ss.

I, the undersigned, Resident Assistant Secretary of THE AMERICAN INSURANCE COMPANY, a NEW JERSEY Corporation, DO HEREBY CERTIFY that the foregoing and attached POWER OF ATTORNEY remains in full force and has not been revoked; and furthermore that Article VIII, Sections 30 and 31 of the By-Laws of the Corporation, and the Resolution of the Board of Directors, set forth in the Power of Attorney, are now in force.

Signed and sealed at the City and County of San Francisco. Dated the _____ day of _____

R. S. Snyder
Resident Assistant Secretary

30-0111(HO) – TA – 3-80

LLOYD O. WHITEHEAD,
Substitute Trustee

Vs.

CURTIS W. SIBBY
SANDERS LEWIS DENNIS

NO. 11,400 CHANCERY

IN THE CIRCUIT COURT
FOR SOMERSET COUNTY
STATE OF MARYLAND.

* * ** * * *

AFFIDAVIT OF COMPLIANCE - RULE W 74 a 2b

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I, LLOYD O. WHITEHEAD, Substitute Trustee, make oath that I mailed to the Mortgagor, CURTIS W. SIBBY and SANDERS LEWIS DENNIS, at the Mortgagor's last known address at Curtis W. Sibby, Box 285, Upper Hill, Maryland 21868; and Sanders Lewis Dennis, 2600Ylaman Ave., Baltimore, Md. 21202, by Certified Mail, Return Receipt Requested, restricted delivery, the attached notice of the time, place and terms of sale. I further certify that I mailed said notice on November 9, 1982.

~~Attached is return receipt showing the said Mortgagor duly received same.~~ Attached is envelope as returned from Post Office for Sanders Lewis Dennis, marked "Addressee Unknown".

LLOYD O. WHITEHEAD
Substitute Trustee

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 18th day of November, 19 82, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared LLOYD O. WHITEHEAD Substitute Trustee, and made oath in due form of law that the matters and things set forth in the aforegoing Affidavit are true and correct to the best of his knowledge, information and belief.

AS WITNESS my hand and Notarial Seal the day and year above written.

Beverly A. Tilghman
NOTARY PUBLIC
My Commission expires: July 1, 19 86

BEVERLY A. TILGHMAN NOTARY PUBLIC

BOOK 048 PAGE 467

LAW OFFICE—LLOYD O. WHITEHEAD, PROFESSIONAL ASSOCIATION

LAW OFFICE
LLOYD O. WHITEHEAD, P. A.
P.O. BOX 230
116 EAST MAIN STREET
SALISBURY, MARYLAND 21801
(301) 742-7850

LLOYD O. WHITEHEAD
ALBERT K. BROUGHTON, JR.

REPLY TO: P.O. Box 230
Salisbury, Maryland 21801

BOOK 048 PAGE 468

November 9, 1982

Mr. Curtis W. Sibby
Box 285
Upper Hill, Maryland 21868

Mr. Sanders Lewis Dennis
2600 Ylaman Avenue
Baltimore, Maryland 21202

Dear Mr. Sibby and/or Mr. Dennis:

This letter will advise you that the Deed of Trust executed by Sanders Lewis Dennis to Mid-State Homes, Inc. of June 1, 1979, duly recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 316, page 94, assumed by Curtis W. Sibby, is in default and has been filed for foreclosure in the Circuit Court for Somerset County, Maryland, at Princess Anne, Maryland. The advertisement for the sale appearing in the Marylander & Herald, began on October 28, 1982. Your property will be sold at the Front Door of the Courthouse at Princess Anne, Maryland, on Friday, November 19, 1982, at or about the hour of 3:00 o'clock p.m. The terms of sale will be $1,000.00 cash at the time and place of sale and the balance of the purchase price to be secured to the satisfaction of the Substitute Trustee appointed by Mid-State Homes, Inc., and will be payable upon final ratification of sale by the Circuit Court of Somerset County, Maryland.

You may redeem your property from foreclosure by paying to the undersigned all costs of foreclosure, all delinquencies due under said Deed of Trust and any other costs justly chargeable under the Deed of Trust. Payments must be in full for all of the said delinquencies and costs and must be made in cash, certified check, cashier's check or money order paid at my office anytime up until the time of the sale. The total amount necessary to redeem the property can be optained by you if you contact the undersigned.

If there are any questions in regard to this matter, please do not hesitate to contact me.

Yours truly,

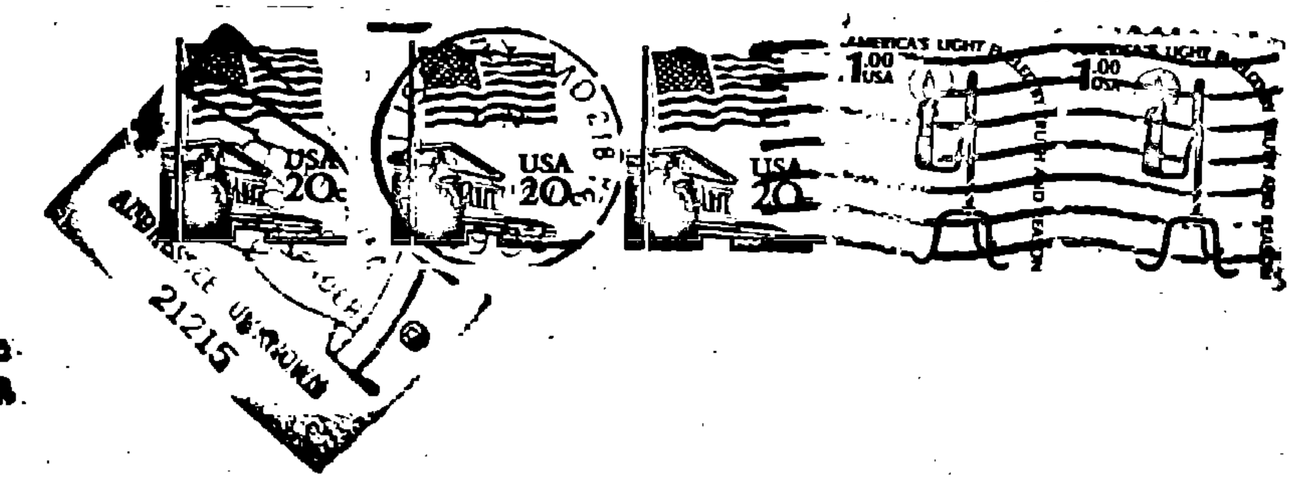
LLOYD O. WHITEHEAD

LOW/bt
File # 1000
CERTIFIED MAIL, RETURN RECEIPT REQUESTED
RESTRICTED TO ADDRESSEE ONLY.

BOOK 048 PAGE 469

LAW OFFICE
LLOYD O. WHITEHEAD, P.A.
116 EAST MAIN STREET
P. O. BOX 230
SALISBURY, MARYLAND 21801

RESTRICTED



Moved, not forwarded
Addressee unknown

CERTIFIED
P 213 847 182
MAIL

Mr. Sanders Lewis Dennis
2600 Ulaman Avenue
Baltimore, Maryland 21207

Uhman

NOV 16 1982

91

Certified Mail, Return Receipt Requested
RESTRICTED TO ADDRESSEE ONLY.

RESTRICTED
DELIVERY

BOOK 048 PAGE 470

LLOYD O. WHITEHEAD Substitute Trustee	*	NO. 11,400 CHANCERY
	*	IN THE CIRCUIT COURT
Vs.	*	FOR SOMERSET COUNTY
CURTIS W. SIBBY	*	STATE OF MARYLAND.
SANDERS LEWIS DENNIS	*	
	*	
	*	
	*	
	*	

* * * * * * * * *

PURCHASER'S AFFIDAVIT

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 19th day of November, 1982, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared WILLIAM A. ENNIS, the purchaser of the real estate described in the above proceedings and he did make oath in due form of law as follows:

1. That in making said purchase, he was acting as agent for MID-STATE HOMES, INC., a body corporate of the State of Florida.

2. That there are no other parties than MID-STATE HOMES, INC., interested in the purchase of the said real estate as principals.

3. That he, as agent for MID-STATE HOMES, INC., did not directly or indirectly discourage anyone from bidding for said property.

William A. Ennis
WILLIAM A. ENNIS - Affiant

AS WITNESS my hand and Notarial Seal the day and year first above written.

Beverly A. Tilghman
NOTARY PUBLIC.

BEVERLY A. TILGHMAN NOTARY PUBLIC WICOMICO CO., MD.

My Commission expires: July 1, 1986

LAW OFFICE—LLOYD O. WHITEHEAD, PROFESSIONAL ASSOCIATION

ORDER NISI

ORDERED by the Circuit Court of Somerset County, Maryland, in Equity, on this 19th day of November, 1982, that the sale of the property mentioned in these proceedings made and reported by Lloyd O. Whitehead, Substitute Trustee, under the power of sale contained in the Deed of Trust from Sanders Lewis Dennis, duly assumed by Curtis W. Sibby by an unrecorded assumption agreement, and more specifically referred to in the Report of Sale filed in these proceedings, be RATIFIED and CONFIRMED, unless cause to the contrary be shown on or before the 20th day of December, 1982, provided a copy of this Order be inserted in some newspaper published in said Somerset County, once in each of three (3) successive weeks before the 13th day of December, 1982.

The Report states the amount of the sale to be $ 10,000.00.

S. Theodore Phoebus
CLERK

FINAL ORDER OF RATIFICATION

ORDERED by the Circuit Court for Somerset County, Maryland, this _____ day of _____, 1982, that the sale made and reported by the Substitute Trustee aforesaid, be and the same is hereby finally RATIFIED and CONFIRMED, no cause to the contrary having been shown, although due notice appears to have been given as required by the Order Nisi passed in this cause; that said Substitute Trustee is allowed a fee of $250.00 in lieu of Commission.

_____
JUDGE.

LAW OFFICE—LLOYD O. WHITEHEAD, PROFESSIONAL ASSOCIATION

BOOK 048 PAGE 472

LLOYD O. WHITEHEAD, Substitute Trustee	*	NO. 11,400 CHANCERY
	*	
Vs.	*	IN THE CIRCUIT COURT
CURTIS W. SIBBY	*	FOR SOMERSET COUNTY
SANDERS LEWIS DENNIS	*	STATE OF MARYLAND.
	*	
	*	
	*	
	*	
	*	
	*	
	*	

* * * * * * *

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Lloyd O. Whitehead, Substitute Trustee, pursuant to the power of sale contained in the Deed of Trust dated June 1, 1979, from Sanders Lewis Dennis, duly assumed by Curtis W. Sibby by Unrecorded Assumption Agreement and recorded among the Land Records of Somerset County, State of Maryland, in Liber ITP 316, folio 94; respectfully shows:

That after default had been made in the terms, covenants and conditions of the said Deed of Trust, and having given at least twenty (20) days' notice by advertisement published once a week in each of four (4) successive weeks in the Marylander & Herald, a newspaper published in Princess Anne, Somerset County, Maryland, prior to Friday, November 19, 1982 and after giving bond with the securities approved by the Clerk of this Court, said Trustee did, on Friday, November 19, 1982, at 3:00 o'clock p.m., attend at the front door of the Court House in Princess Anne, Maryland, it being the time and place mentioned in said advertisement, as will more fully appear by reference to the attached copy thereof with certificate of its publication, and said Trustee did then and there offer for sale at public auction, subject to all prior liens and encumbrances, all the right, title and interest of the said Curtis W. Sibby and/or Sanders Lewis Dennis, said property being more particularly described as follows:

LAW OFFICE—LLOYD O. WHITEHEAD, PROFESSIONAL ASSOCIATION

ALL that certain lot or parcel of land situate in Fairmount Election District of Somerset County, Maryland, described in1967, as "Bounded on the North by Jackson Lee Cook, Bounded on the East by Abbott Waters, Bounded on the South by Charles D. Lankford, and Bounded on the West by Mannie Turpin, and shown on the tax maps of Somerset County as Map 39, Block 14 Lot 67", and being the same and all the land which was conveyed unto the said Levin T. Waters by Mark White and Susie W. White, by deed dated February 14, 1967, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 237, folio 272, and being also the same property that was conveyed unto Curtis W. Sibby by Sanders Lewis Dennis, by deed dated February 29, 1980, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No.322, folio 162.

LAW OFFICE—LLOYD O. WHITEHEAD, PROFESSIONAL ASSOCIATION

AND your Trustee sold the aforedescribed property to

MID-STATE HOMES, INC., a body corporate of Florida

at and for the sum of $ 10,000.00 - at that sum, being the highest bidder therefor, and the said purchaser or purchasers have complied with the terms of the sale.

Respectfully submitted,

LLOYD O. WHITEHEAD - Substitute Trustee.

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 19th day of November, 19 82, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared LLOYD O. WHITEHEAD, Substitute Trustee named in the aforegoing Report of Sale, and made oath in due form of law that the matters and things set forth inthe aforegoing Report of Sale are true and correct to the best of his knowledge, information and belief and that the sale therein reported was fairly made.

AS WITNESS my hand and Notarial Seal the day and year above written.

BEVERLY A. TILGHMAN NOTARY PUBLIC WICOMICO CO., MD.

NOTARY PUBLIC.

My Commission expires: July 1, 1982.

LAW OFFICE—LLOYD O. WHITEHEAD, PROFESSIONAL ASSOCIATION

BOOK 043 PAGE 475

PRINCESS ANNE, MD., Nov 19 1982

This is to certify that the annexed Notice has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Notice

Dates Inserted: Oct 28, Nov 4, 11, 18

J Bryan Byrd

Business Manager, MARYLANDER and HERALD

LLOYD O. WHITEHEAD, P.A.
ATTORNEY AT LAW
116 East Main Street
P. O. Box 230
Salisbury, Maryland 21801

TRUSTEES' SALE
OF
VALUABLE HOME AND LOT AT OR NEAR UPPER HILL, MARYLAND

By virtue of the Power of Sale and authority contained in a Deed of Trust executed by Sanders Lewis Dennis, to Mid-State Homes, Inc., dated June 1, 1979, and recorded among the Land Records of Somerset County, Maryland, in Liber I. T. P. No. 316, page 94, the said Deed of Trust having been assumed by Curtis W. Sibby by an unrecorded assumption Agreement dated April 16, 1981, default having occured in the terms thereof, the undersigned will sell, at

PUBLIC AUCTION
AT THE FRONT DOOR OF THE COURTHOUSE AT PRINCESS ANNE, MARYLAND ON

FRIDAY, NOVEMBER 19, 1982
AT OR ABOUT 3:00 O'CLOCK P.M.

all of the following described real estate situate in the County of Somerset, State of Maryland, and more particularly described as follows:

ALL THAT certain lot or parcel of land situate in Fairmount Election District, Somerset County, Maryland, described in 1967, as "Bounded on the North by Jackson Lee Cook, Bounded on the East by Abbott Waters, Bounded on the South by Charles D. Lankford, and Bounded on the West by Mannie Turpin, and shown on the Tax Maps of Somerset County, as Map 39, Block 14 Lot 67", and being the same and all the land which was conveyed unto the said Levin T. Waters by Mark White and Sussie W. White by deed dated February 14, 1967, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 237, folio 272; and being also the same property that was conveyed unto Curtis W. Sibby by Sanders Lewis Dennis by Deed dated February 29, 1980, and recorded among the Land Records of Somerset County, Maryland in Liber I.T.P. No. 322, folio 162.

POSSESSION of said property will be given upon ratification of sale.

TERMS OF SALE: $1,000.00 in cash at the time and place of sale, balance being payable with interest upon final ratification of said sale by the Circuit Court of said County, the unpaid portion to bear interest at the rate of 6% per annum and to be secured to the satisfaction of said Trustee.

Taxes and other public charges to be paid and adjusted to date of sale. Title examination, if desired, title papers, revenue stamps, transfer tax, and costs of recording at the expense of the purchaser or purchasers.

LLOYD O. WHITEHEAD
SUBSTITUTE TRUSTEE
116 East Main Street
Salisbury, Maryland 21801
Telephone: 301-742-7850

4tc 10/28

BOOK 048 PAGE 476

PRINCESS ANNE, MD., Dec 29 1982

This is to certify that the annexed Notice

has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Notice

Dates Inserted: Nov 25, Dec 2, 9 1982

Business Manager MARYLANDER and HERALD

LLOYD O. WHITEHEAD
Attorney-at-Law
116 East Main Street
P. O. Box 230
Salisbury, Maryland 21801

LLOYD O. WHITEHEAD,
Substitute Trustee
Vs.
CURTIS W. SIBBY
SANDERS LEWIS DENNIS

NO. 11,400 CHANCERY
IN THE CIRCUIT COURT
FOR SOMERSET COUNTY
STATE OF MARYLAND

ORDER NISI

ORDERED by the Circuit Court for Somerset County, Maryland, in Equity, on this 19th day of November, 1982, that the sale of the property mentioned in these preceedings made and reported by Lloyd O. Whitehead, Substitute Trustee, under the power of sale contained in the Deed of Trust from Sanders Lewis Dennis, duly assumed by Curtis W. Sibby by an unrecorded assumption agreement, and more specifically referred to in the Report of Sale filed in these preceedings, be Ratified and Confirmed, unless cause to the contrary be shown on or before the 20th day of December 1982; provided a copy of this Order be inserted in some newspaper published in said Somerset County, once in each of three (3) successive weeks before the 13th day of December, 1982.

The Report states the amount of the sale to be $10,000.00.

I. THEODORE PHOEBUS
Clerk:

True Copy, Test
I. Theodore Phoebus, Clerk

3tc 11/25

Advertising Pms.

LLOYD O. WHITEHEAD, Substitute Trustee	*	NO. 11,400 CHANCERY
	*	IN THE CIRCUIT COURT
vs.	*	FOR SOMERSET COUNTY
	*	STATE OF MARYLAND.
CURTIS W. SIBBY SANDERS LEWIS DENNIS	*	

* * * * * * *

FINAL ORDER OF RATIFICATION

ORDERED by the Circuit Court for Somerset County, Maryland, this 6th day of January, 1983, that the sale made and reported by the Substitute Trustee aforesaid, be and the same is hereby finally RATIFIED and CONFIRMED no cause to the contrary having been shown, although due notice appears to have been given as required by the Order Nisi passed in this cause.

Lloyd L. Simpkins

JUDGE.

LAW OFFICE—LLOYD O. WHITEHEAD, PROFESSIONAL ASSOCIATION

BOOK 048 PAGE 478

LLOYD O. WHITEHEAD,
Substitute Trustee

vs.

CURTIS W. SIBBY and
SANDERS LEWIS DENNIS

NO. 11,400 CHANCERY

IN THE CIRCUIT COURT

FOR SOMERSET COUNTY

STATE OF MARYLAND

FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he made an examination of the proceedings in the above entitled cause and from them and the list of expenses furnished him therein, states the following Account:

Amount of Sale			$ 10,000.00
Fees, Costs, Expenses, Etc.:			
I. Theodore Phoebus, Court Costs		$ 142.00	
Marylander and Herald			
Advertising	241.00		
Order Nisi	50.00	291.00	
Carlos Bozman, Treasurer		568.55	
Herbert Lejeune, Auctioneer		75.00	
Gray Insurance Agency, Inc., Bond		60.00	
Lloyd O. Whitehead, Substitute Trustee's Commission - 10% of first $3,000 = $300 and 5% of balance of $7,000 = $350		650.00	
Logan C. Widdowson, Auditor		65.00	
Somerset County Sanitary District Water and Sewer through 9/30/82 - $89.15 Front foot assessment for 1981 and through 12/31/82 - $139.13		228.28	
Notary Fees		5.00	
Postage		6.00	
Total Fees, Costs, Expenses, Etc.:		$2,090.83	
Balance to be Distributed			$ 7,909.17
Mortgage Debt			
Principal	$ 13,113.64		
Interest as of 11/9/82	131.72		
Interest from 11/9/82 to 2/23/83 (96 days at $3.56 per diem)	341.76		
Total Mortgage Debt	$ 13,587.12		
Deficit			$ 5,677.95

ALL EXCEPTIONS to said report must be filed within fifteen (15) days of the date of filing; if no exceptions are filed, the account may be ratified.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing on the date of the filing of the Audit notice of this report to the following parties by regular U.S. mail:

Lloyd O. Whitehead, Esquire
116 East Main Street
P.O. Box 230
Salisbury, Maryland 21801

Curtis W. Sibby
Box 285
Upper Hill, MD 21868

Sanders Lewis Dennis
2600 Ylaman Avenue
Baltimore, MD 21202

Logan C. Widdowson, Auditor

Date of Filing: February 8, 1983

LOGAN C. WIDDOWSON
ATTORNEY AT LAW
NORTH SOMERSET AVENUE
PRINCESS ANNE, MD. 21853
651-3600

LCW/gjb
2/8/83
83 # 131

No. 11,400 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 8th day of February, 19 83 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the 23rd day of February, 19 83.

I Theodore Phoebus
CLERK

No exceptions having been filed, and no cause to the contrary having been shown, IT IS ORDERED by the Circuit Court for Somerset County, in Equity, this 9th day of March, 19 83 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

I Theodore Phoebus
CLERK

MAR 22 1984
Exd.

BOOK 048 PAGE 479

BOOK 048 PAGE 480

JUL 29-82 B 025732D ****10.00
JUL 29-82 B 025731D ****60.00

William B. Maddox, Jr. and
Shirley M. Maddox
E. Chesapeake Ave.
Crisfield, Maryland 21817

Plaintiffs

vs

Diane Barboza O'Neill
c/o Sanuel Barboza
11448 So. Oxford Ave.
Hawthorne, California 90250

Brice Barboza
1980 Benwood
Covina, California 91722

Carol Barboza Zilkoski
Rt. 1, Box 28
Loleta, California 95551

Betty Jo Barboza
c/O Samuel Barboza
11448 So. Oxford Ave.
Hawthorne, California 90250

In Equity No.

In the Circuit Court for

Somerset County, Maryland

BILL IN PARTITION

William B. Maddox, Jr. and Shirley M. Maddox, by their attorney, Lionel Bennett, alleges:

1. That the Plaintiffs and the Defendants are seized as tenants in common of certain lands and premises in the City of Crisfield, Somerset County, Maryland an interest in the title to which the Plaintiffs acquired by the following deeds:

A. Deed dated August 10, 1970 recorded in Liber 260 page 703.

B. Deed dated January 15, 1971 recorded in Liber 260 page 705.

C. Deed dated July 12, 1977 recorded in Liber 303 page 5.

D. Deed dated June 5, 1971 recorded in Liber 308 page 645.

Duly certified copies of said deeds are annexed hereto and marked Exhibits A through D.

That the Defendants acquired an interest in the title to said lands as heirs of Mabel Sterling, deceased.

That Plaintiffs' interest is 15/16ths and Defendants' interest is 1/16th.

2. That the said real estate is not susceptible to division without material loss or injury to the parties entitled to interest

therein as stated, and that in order to make a division of said interests it will be necessary that the said real estate be sold and the proceeds thereof divided among the parties according to their several interests; that such a sale would be advantageous to the parties concerned.

Wherefore Plaintiffs pray:

1. That a decree may be passed for the sale of said real estate.

2. That the proceeds of said sale may be distributed between the parties according to their respective rights and interests.

3. That your Plaintiffs may have such other and further relief as their case may require.

And as in duty bound, etc.

William B. Maddox, Jr.
William B. Maddox, Jr

Shirley M. Maddox
Shirley M. Maddox

Lionel Bennett
Lionel Bennett
Attorney for Plaintiffs
945 W. Main Street
Crisfield Maryland 21817
Phone: 968-1166

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on this 20th day of July, 1982, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared William B. Maddox, Jr. and Shirley M. Maddox, Plaintiffs in the above entitled cause, and made oath in due form of law that the matters and facts set forth in the foregoing bill of complaint are true to the best of their knowledge and belief, and that the Defendants are not in the military service of the United States of America, as defined by the Soldiers and Sailors Relief Act of 1940, and as defined by Chapter 710 of the Acts of the General Assembly of Maryland, 1941 Session.

Witness my hand and notarial seal.

BOOK 048 PAGE 481

FELDA M. MASSEY
NOTARY PUBLIC
Crisfield, Maryland

Felda M. Massey
Notary Public

For Exhibit A See Deed, Liber 260, Folio 703. For Exhibit B See Deed Liber 260, folio 705.
For Exhibit C See Deed, Liber 303, Folio 05. For Exhibit D See Deed Liber 308, folio 645.

DIRECTED TO: Lionel Bennett, Esq.
Attorney at Law
945 W. Main Street
Crisfield, Maryland 21817

BOOK 048 PAGE 482

(Md. Rule 107 - Service of process outside the State)

No. 11,341 Chancery Case

STATE OF MARYLAND, Somerset County, To-Wit:

THE STATE OF MARYLAND to

DIANE BARBOZA O'NEILL
c/o Sanuel Barboza
11448 So. Oxford Ave.
Hawthorne, California 90250

BRICE BARBOZA
1980 Benwood
Covina, California 91722

CAROL BARBOZA ZILKOSKI
Rt. 1, Box 28
Loleta, California 95551

BETTY JO BARBOZA
c/o Samuel Barboza
11448 So. Oxford Ave
Hawthorne,
California 90250

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of August next and ending sixty days from the date of the completion of service if made in the limits of the United States and ninety days if beyond cause your answer or other defense to be filed to the complaint of

WILLIAM B. MADDOX, JR. and
SHIRLEY M. MADDOX
E. Chesapeake Avenue
Crisfield, Maryland 21817

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable Richard M. Pollitt, Chief Judge of the First Judicial Circuit of Maryland.

Issued the 29th day of July, 19 82

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office within sixty days from the date of the completion of service if made in the limits of the United States and ninety days if beyond. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Name Lionel Bennett, Esq.
Attorney at Law
Address 945 W. Main Street
Crisfield, Maryland 21817
PHONE NO. 968-1166

S. Gordon Shockley
Clerk

CERTIFICATE OF SERVICE OF

- [x] SUMMONS
- [ ] SUMMONS (MULTI-PURPOSE)
- [ ] SUMMONS (JOINT DEBTOR)
- [ ] SUMMONS (UNLAWFUL DETAINER)

(Keep space above for Clerk's filing)

IN THE [ ] MUNICIPAL COURT [ ] SUPERIOR COURT

_____ Judicial District — COUNTY OF LOS ANGELES

Maddox (Plaintiff) vs. O'Neill (Defendant) — 11341 (Case Number)

I, the undersigned, Marshal of Municipal Courts, Los Angeles County, State of California, do hereby certify that in the County of Los Angeles, State of California:

1. I served the
   a. [x] summons [x] complaint [ ] amended summons [ ] amended complaint
   b. On defendant (Name): Betty Jo Barboza
   c. By serving (1) [ ] Defendant (2) [x] Other (Name and title or relationship to person served): Samuel Barboza Father
   d. [x] By delivery at [x] home [ ] business (1) Date of: 8-25-82 (2) Time of: 6:00 am (3) Address: 11448 S. Oxford Ave. Hawthorne, Ca.
   e. [x] By mailing (1) Date of: 8-25-82 (2) Place of: Marshal's Office, One Regent Street, Inglewood, CA 90301
2. Manner of service: (Check proper box)
   a. [ ] Personal service. By personally delivering copies. (CCP 415.10)
   b. [ ] Substituted service on corporation, unincorporated association (including partnership), or public entity. By leaving, during usual office hours, copies in the office of the person served with the person who apparently was in charge and thereafter mailing (by first-class mail, postage prepaid) copies to the person served at the place where the copies were left. (CCP 415.20(a))
   c. [x] Substituted service on natural person, minor, incompetent, or candidate. By leaving copies at the dwelling house, usual place of abode, or usual place of business of the person served in the presence of a competent member of the household or a person apparently in charge of the office or place of business, at least 18 years of age, who was informed of the general nature of the papers, and thereafter mailing (by first-class mail, postage prepaid) copies to the person served at the place where the copies were left. (CCP 415.20(b)) (Attach separate declaration or affidavit stating acts relied on to establish reasonable diligence in first attempting personal service.)
   d. [x] Other (Specify code section): (CCP 415.20 (B)
      [x] Additional page is attached.
3. The notice to the person served (Item 2 on the copy of the summons served) was completed as follows (CCP 412.30, 415.10, and 474):
   a. [x] As an individual defendant.
   b. [ ] As the person sued under the fictitious name of:
   c. [ ] On behalf of:
      Under: [ ] CCP 416.10 (Corporation) [ ] CCP 416.60 (Minor) [ ] Other
      [ ] CCP 416.20 (Defunct corporation) [ ] CCP 416.70 (Incompetent)
      [ ] CCP 416.40 (Association or partnership) [ ] CCP 416.90 (Individual)
   d. [x] By personal delivery on (Date): 8-25-82

Dated 8-26-82
Division: Ing 32
Fees $ 14.00

JOHN F. MAHON, JR., MARSHAL

By M. Venable #447
Deputy Marshal

M. Venable #447
(Type or print name of Deputy)

76C166Q PS 5-81

CERTIFICATE OF SERVICE OF SUMMONS

BOOK 048 PAGE 483

MARSHAL OF MUNICIPAL COURTS
LOS ANGELES COUNTY

CERTIFICATE OF REASONABLE DILIGENCE

Maddox		O'Neill	11341
Plaintiff	vs.	Defendant	Case No.
Petitioner	and	Respondent	

BOOK 048 PAGE 484

I certify the following attempts were made to effect service by personal delivery:

DATE	TIME	REMARKS
8-20-82	7:30 am	Deft not in
8-23-82	6:05 am	same
8-25-82	6:00 am	Sub served on Samuel Barboza Father for defts.

All attempts made at:
11448 S. Oxford Ave.
Hawthorne, Ca.

JOHN F. MAHON, JR., MARSHAL

By C. Stephens
Deputy Marshal

C. Stephens for M. Venable #447
Type or Print Name of Deputy

76C194T-10/77- PS 3-81

MARSHAL OF MUNICIPAL COURTS
LOS ANGELES COUNTY

CERTIFICATE OF REASONABLE DILIGENCE

Maddox		O'Neill	11341
Plaintiff Petitioner	vs. and	Defendant Respondent	Case No.

I certify the following attempts were made to effect service by personal delivery:

DATE	TIME	REMARKS
8-20-82	7:30 am	Deft not in
8-23-82	6:05 am	same
8-25-82	6:00 am	Sub served on Samuel Barboza Father for defts.

All attempts made at:
11448 S. Oxford Ave.
Hawthorne, Ca.

JOHN F. MAHON, JR., MARSHAL

By C. Stephens
Deputy Marshal

C. Stephens for M. Venable #447
Type or Print Name of Deputy

BOOK 043 PAGE 485

76C194T-10/77- PS 3-81

IN THE CIRCUIT COURT OF THE STATE OF MARYLAND

IN AND FOR THE COUNTY OF SOMERSET

BOOK 048 PAGE 486

MADDOX vs O'NEILL

COUNTY OF LOS ANGELES
STATE OF CALIFORNIA } ss.

Case No. 11 341

AFFIDAVIT OF SERVICE

DAVE HOFER, being first duly sworn under oath according to law, certifies, deposes and says:

That he is a regularly appointed and qualified Deputy Marshal of the Municipal Courts of the County of Los Angeles, State of California, and is a duly constituted public officer and law enforcement officer qualified and authorized to serve civil process in said County under the laws of the State of California; that he is a competent and credible person over the age of 21 years, and not a party to the action or related to either party, nor an attorney for a party, nor in any way interested in the within named action; that he is competent to be a witness in the case and competent to take this oath of the fact of service; that he was and now is a citizen of the United States of America and of the State of California, and an adult resident of the County of Los Angeles in said State.

That he personally served the summons (1)

on 8-18-82 19....., upon BRICE BARBOZA

a defendant therein, at c/o Marshal's Office, 1427 W. Covina Pkwy.,W. Covina,Ca.,

County of Los Angeles, State of California, by delivering to and leaving with .....

..... said defendant a true (2) .....

copy of said summons (3) together with the accompanying true

copy of the (4) ~~complaint~~ bill

(5) annexed and attached thereto.

(6)

That the person, firm or corporation so served is the identical one named as defendant in the action and is personally known by affiant to be the same as the within named defendant therein and the person intended to be served.

(7)

JOHN F. MAHON, JR.
MARSHAL OF MUNICIPAL COURTS
LOS ANGELES COUNTY

Subscribed and sworn to before me
this 18th day of August 1982

Deputy Marshal By D. Hofer Deputy
D. HOFER #52

(8) Alfonso Perez

Notary Public in and for the County of Los Angeles, State of California.

My commission expires:

OFFICIAL SEAL
ALFONSO PEREZ
NOTARY PUBLIC - CALIFORNIA
LOS ANGELES COUNTY
My comm. expires JUN 20, 1986

Marshal's Fees $ 14.00
Fees of Notary or Clerk $ 3.00

AFFIDAVIT OF SERVICE OF PROCESS OF OUT OF STATE COURT

76 O 810A—MM 3— Cdb 1-65

No# 11,341 Chancery Case

Dear Mr. Bennett 9/13/82

I am writting in behalf of my brother & sisters, Bryce W. Barboza, Betty Barboza, and Carol Zilkoski Barboza to let you know that we have retained an attorny ourselves.

Our attorney read over the summons and everything is in order.

Please keep us informed on request of sale, & terms of sale, & exact accounting of sale proceeds, so that we will know that we are getting our fair share.

Sincerly Deana O'Neill (Barboza)

11448 So. Oxford Ave
Hawthorne, CA
90250

MARINA DEL REY
PM
14 SEP 1982
90292

FREDERICK DOUGLASS
25¢ U.S. POSTAGE

CLAIM CHECK NO.
430879

☐ HOLD

Mr. Lionel Bennett Esq.
(attorney at law)
945 W. Main St.
Crisfield Maryland
21817
(No# 11,341 Chancery Case)

CERTIFIED
249 293 409
MAIL

DATE 9-22-82
1ST NOTICE
2ND NOTICE 10-6-82
RETURN

Detached from PS Form 3849—A Oct. 1980

BOOK 048 PAGE 487

BOOK 043 PAGE 488

MARSHAL'S OFFICE
County of Humboldt } ss.
State of California

825 5th St., Courthouse, Room 203
Eureka, Ca 95501
707-445-7221

MARSHAL'S RETURN

I, the undersigned, Marshal of The Municipal Court, Humboldt County, State of California, do hereby certify that I received the within BILL IN PARTITION - COMPLAINT #11,341

on the 12th day of AUGUST, 1982 and that I served the same upon CAROL BARBOZA ZILKOSKI

Rt 1 Box 28, Loleta, California

personally, and acquainted HER with its contents on the 10th day of SEPT 1982 at 9:50 A.M.

H. WAYNE NELSON, MARSHAL
Eureka Judicial District

By [signature]
GARY BENEFIELD Deputy Marshal

COSTS: 14.00

William B. Maddox, Jr. and
Shirley M. Maddox

Plaintiffs

vs.

Diane Barboza O'Neill, et al.

Defendants

In Equity No. 11,341

In the Circuit Court for

Somerset County, Maryland

DECREE PRO CONFESSO

The petition of the plaintiffs respectfully shows:

That the defendants have been duly summoned to appear to the bill of complaint herein, but have failed to appear to or answer said bill of complaint within the time prescribed by the rules of this Court.

That plaintiffs therefore pray that the bill of complaint may be taken pro confesso against the said defendants and that the plaintiffs have leave to take testimony before one of the Standing Examiners of this Court.

Lionel Bennett
Attorney for Plaintiffs

ORDER

It appearing in the above entitled cause that the defendants have been duly summoned to appear to the bill of complaint herein, but have failed to appear to or answer said bill of complaint within the time prescribed by the rules of this Court, it is thereupon this 10th day of Nov. , 1982, by the Circuit Court for Somerset County, in Equity, adjudged, ordered and decreed that said bill of complaint be, and the same is hereby taken pro confesso against said defendants, and it is further ordered that the plaintiffs have leave to take testimony before one of the Standing Examiners of this Court.

Judge

BOOK 048 PAGE 490

William B. Maddox, Jr. and Shirley E. Maddox	:	No. 11,341 Chancery Case
Vs.	:	In the Circuit Court for
Diane Barboza O'Neill Brice Barboza Carol Barboza Zilkoski	:	Somerset County
Betty Jo Barboza	:	State of Maryland
	:	DATE: November 10, 1982
	:	
	:	
	:	

NOTICE OF JUDGMENT BY DEFAULT

OR

DECREE PRO CONFESSO

TO: Betty Jo Barboza

c/o Samuel Barboza
11448 So. Oxford Avenue
Hawthorne, California 90250

In accordance with Maryland Rules of Procedure, you are notified that a ~~judgment by default/summary judgment~~/decree pro confesso/ ~~summary decree~~ was entered against you in the above entitled case on November 10, 1982.

If you wish to take exception to this ~~Judgment~~/Decree/~~by default~~, you have thirty days from the date of the ~~Judgment~~/Decree within which to do so.

I. Theodore Phoebus
I. Theodore Phoebus
Clerk of the Circuit Court for
Somerset County, Maryland

William B. Maddox, Jr. and Shirley E. Maddox	:	No. 11,341 Chancery Case
Vs.	:	In the Circuit Court for
Diane Barboza O'Neill Brice Barboza Carol Barboza Zilkoski Betty Jo Barboza	:	Somerset County State of Maryland
	:	DATE: November 10, 1982
	:	
	:	
	:	

NOTICE OF JUDGMENT BY DEFAULT

OR

DECREE PRO CONFESSO

TO: Carol Barboza Zilkoski

Rt. 1, Box 28

Loleta, California 95551

In accordance with Maryland Rules of Procedure, you are notified that a ~~judgment by default/summary judgment~~/decree pro confesso/ ~~summary decree~~ was entered against you in the above entitled case on November 10, 1982.

If you wish to take exception to this ~~Judgment~~/Decree/~~by default~~, you have thirty days from the date of the ~~Judgment~~/Decree within which to do so.

I. Theodore Phoebus
Clerk of the Circuit Court for
Somerset County, Maryland

BOOK 048 PAGE 491

William B. Maddox, Jr. and Shirley E. Maddox	:	No. 11,341 Chancery Case
Vs.	:	In the Circuit Court for
Diane Barboza O'Neill Brice Barboza Carol Barboza Zilkoski	:	Somerset County
Betty Jo Barboza	:	State of Maryland
	:	DATE: November 10, 1982
	:	
	:	
	:	

NOTICE OF JUDGMENT BY DEFAULT

OR

DECREE PRO CONFESSO

TO: Brice Barboza
1980 Benwood
Covina, California 91722

In accordance with Maryland Rules of Procedure, you are notified that a ~~judgment by default/summary judgment~~/decree pro confesso/ ~~summary decree~~ was entered against you in the above entitled case on November 10, 1982.

If you wish to take exception to this ~~Judgment~~/Decree/~~by default~~, you have thirty days from the date of the ~~Judgment~~/Decree within which to do so.

I. Theodore Phoebus
I. Theodore Phoebus
Clerk of the Circuit Court for
Somerset County, Maryland

William B. Maddox, Jr. and Shirley E. Maddox	:	No. 11,341 Chancery Case
Vs.	:	In the Circuit Court for
Diane Barboza O'Neill Brice Barboza Carol Barboza Zilkoski Betty Jo Barboza	:	Somerset County
	:	State of Maryland
	:	DATE: November 10, 1982
	:	
	:	
	:	

NOTICE OF JUDGMENT BY DEFAULT

OR

DECREE PRO CONFESSO

TO: Diane Barboza O'Neill

c/o Sanuel Barboza
11448 So. Oxford Ave.
Hawthorne, California 90250

In accordance with Maryland Rules of Procedure, you are notified that a ~~judgment by default/summary judgment~~/decree pro confesso/ ~~summary decree~~ was entered against you in the above entitled case on November 10, 1982.

If you wish to take exception to this ~~Judgment~~/Decree/~~by default~~, you have thirty days from the date of the ~~Judgment~~/Decree within which to do so.

I. Theodore Phoebus
I. Theodore Phoebus
Clerk of the Circuit Court for
Somerset County, Maryland

William B. Maddox, Jr. and
Shirley M. Maddox

Plaintiffs

vs

Diane Barboza O'Neill, et al.

Defendants

In Equity No. 11,341

In the Circuit Court for

Somerset County, Maryland

TESTIMONY

In this cause, an order having been passed for testimony to be taken to support the allegations of the bill, I, William A. Martin, Jr., of Crisfield, Maryland, one of the Standing Examiners of the Circuit Court for Somerset County, Maryland, in Equity, duly appointed, sworn, etc., do hereby certify that on this day of December, 1982, in Somerset County aforesaid, I did take the following testimony, to wit:

EXAMINATION BY MR. LIONEL BENNETT:

William B. Maddox, Jr., a witness of lawful age, produced on the part of the plaintiffs, being duly sworn, deposes and says:

Q. Please state your name and residence.
A. My name is William B. Maddox, Jr., and I reside in Crisfield, Md.

Q. Are you the William B. Maddox, Jr. who is one of the plaintiffs in this action?
A. I am.

Q. Will you please describe the property mentioned in the bill of complaint?
A. All that lot of land in the City of Crisfield, Somerset County, State of Maryland located on the north side of Cove Street and being the same and all that property conveyed to Sidney Tyler by deed duly recorded among the Land Records of Somerset County, Maryland, in Liber HFL No. 3 folio 491.

Q. Can this property be divided between the parties to this action?
A. No.

Q. Do you believe that in order to make a division of your respective interests it will be necessary that the real estate be sold and the proceeds be divided between you?
A. Yes, it will.

Q. Do you believe that a sale of the premises would be advantageous to all parties concerned?
A. Yes, I believe it would.

COURT'S QUESTION:
A. No Sir.

William B. Maddox, Jr.
William B. Maddox, Jr.

William A. Martin, Jr.
William A. Martin, Jr.

Robert J. Wilson, a witness of lawful age, produced on the part of the Plaintiffs, being duly sworn, deposes and says:

Q. Please state your name, residence and occupation.
A. My name is Robert J. Wilson; I reside in Marion, Maryland; and I am engaged in the real estate business.

Q. Are you familiar with the value of the land in the vicinity of the premises described by the previous witness?
A. I am.

Q. Have you made appraisals heretofore of such property?
A. I have.

Q. Will you please describe this property?
A. This property is located on the north side of Cove Street in the City of Crisfield and is bounded by the land of the Plaintiffs on the east and has a frontage of 150.04' on Cove Street. It is triangular in shape and is vacant.

Q. Have you formed an opinion of the fair market value of this property?
A. Yes.

Q. What is the fair market value of the premises in your opinion?
A. $1500.00.

COURT'S QUESTION:
A. No Sir.

Robert J. Wilson

William A. Martin, Jr.

There being no further witnesses to be examined and at the suggestion of the Solicitor for the Complainant, the papers are herewith returned to the Court, and I further certify this annexed bill of costs is correct and paid by the Plaintiff. This examination was conducted in compliance with General Equity Rule 580 g. The Examiner remained in the same room with the witnesses throughout the taking of the testimony. In his judgment, no examination or cross-examination was proper or necessary for a full presentation of the true facts in the case. There were no irregularities or unusual circumstances in the taking of the testimony or in the conduct of the proceeding.

Bill of Costs

Examiner $25.00

Witness my hand and Seal.

William A. Martin, Jr.
Standing Examiner in Chancery

William B. Maddox, Jr., et al. Plaintiffs vs Diane Barboza O'Neill, et al. Defendants	In Equity No. 11,341 In the Circuit Court for Somerset County, Maryland

FINAL DECREE

This cause standing ready for hearing and being submitted without argument, the proceedings were read and considered.

It is thereupon this 9th day of ~~December~~ Feb, ~~1982~~ 1983, by the Circuit Court for Somerset County, in Equity, adjudged, ordered and decreed that the real estate in the proceedings mentioned be sold; and it is further

Ordered, adjudged and decreed that Lionel Bennett be, and he is hereby appointed trustee to make such sale, and that the course and manner of his proceedings shall be as follows:

He shall first file with the Clerk of this Court a bond to the State of Maryland, executed by himself and a surety or sureties to be approved by this Court in the penalty of $2,000.00 if corporate, or $4,000.00 if private surety, conditioned for the faithful performance of the trust reposed in him by this decree, or to be reposed in him by any future decree or order in the premises; he shall then proceed to make the said sale, having given at least three weeks notice by advertisement inserted in some newspaper published in the City of Crisfield, Somerset County, as he shall think proper, of the time, place, manner and terms of sale, which terms shall be as follows:

A cash deposit of 10% of the purchase price at the time of sale and the balance in cash upon final ratification of sale by the Circuit Court for Somerset County, taxes, water rent, and all other public charges, if any, to be adjusted to the date of settlement and as soon as may be convenient after such sale or sales, the said trustee shall return to this Court a full and particular account of his proceedings relative to such sale, with an annexed affidavit of the trust thereof and of the fairness of said sale; and on obtaining this Court's

ratification of the sale, and on the payment of the whole purchase money (and not before), the said trustee will, by a good and sufficient deed to be executed, acknowledged and recorded according to law, convey to the purchaser or purchasers his, her, or their heirs, the property and estate to him, her, or them sold free, clear and discharged from all claims of the parties hereto, plaintiffs and defendants, and those claiming by, from or under them, or of them; and the said trustee will bring into this Court the money arising from said sale, to be distributed under the direction of this Court, after deducting the costs of this suit and such commission to the said trustee as this Court shall think proper to allow in consideration of the skill, attention and fidelity wherewith he shall appear to have discharged his trust.

Lloyd L. Smith
Judge

William B. Maddox, Jr., et al.
Plaintiffs

vs

Diane Barboza O'Neill, et al.
Defendants

In Equity No. 11,341
In the Circuit Court for
Somerset County, Maryland

REPORT OF SALE

To the Honorable, the Judges of said Court:

The report of Lionel Bennett, trustee appointed by this Court by order herein dated February 9, 1983, respectfully represents to your Honors that after giving bond with security, approved by the Clerk of this Court, for the faithful performance of the trust so reposed in him by said order, and having given at least four weeks notice of the time, place, manner and terms of sale by advertisement in The Crisfield Times, a weekly newspaper published in the City of Crisfield, Somerset County, for four successive weeks before the day of the sale, he did, pursuant to said notice, attend at the steps of Post Office at Crisfield, Maryland, on February 5, 1983, at two o'clock P.M., and then and there proceeded to sell the property described in the bill of complaint, to wit:

ALL that lot of land in the City of Crisfield, Somerset County, State of Maryland located on the north side of Cove Street and being the same and all that property conveyed to Sidney Tyler by deed duly recorded among the Land Records of Somerset County, Maryland, in Liber HFL No. 3 folio 491.

And sold the same to Willaim B. Maddox and Shirley M. Maddox, they being the highest bidders therefor, at and for the sum of $1,000.00, and purchasers have complied with the terms of sale.

Respectfully submitted,

Lionel Bennett

Lionel Bennett, Trustee

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on this 9th day of February, 1983, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Lionel Bennett, trustee named in the aforegoing report of sale, and made oath in due form of law that the matters and things therein stated are true to the best of his knowledge and belief, and that the sale therein mentioned and reported and reported was fairly made.

As witness my hand and Notarial Seal the day and year first above written.

Felda M. Massey
Notary Public

Area Code (302) 674-4750

BOOK 048 PAGE 500

INDEPENDENT NEWSPAPERS INCORPORATED • P.O. BOX 7001, DOVER, DEL. 19901

County of Kent :
: s.s.
State of Delaware:

Before me, a Notary Public for the County and State aforesaid, personally appeared Jennilee Grandfield of Independent Newspapers, Inc., who deposes and swears that the notice, a copy of which is hereto attached, was published in Crisfield Times, Crisfield, Maryland, in its issue of January 12,19,26, 1983 February 2, 1983

Jennilee Grandfield
Independent Newspapers, Inc.

Sworn to and subscribed before me this 9th day of February, A.D. 1983.

Rachel R. Hicks
Notary Public

Trustee's Sale

Under and by virtue of a decree of the Circuit Court for Somerset County, Maryland, the undersigned, as trustee, will sell by public auction on the steps of the Post Office in Crisfield, Maryland, on Saturday, February 5, 1983, at 2:00 p.m.

All that lot of land in the City of Crisfield, Somerset County, State of Maryland located on the north side of Cove Street and being the same and all that property conveyed to Sidney Tyler by deed duly recorded among the Land Records of Somerset County, Maryland, in Liber MPL No. 3 folio 491.

The terms of sale shall be as follows:

A cash deposit of ten per cent of the purchase price at the time of sale, and the balance in cash upon final ratification of sale by the Circuit Court for Somerset County, taxes and all other public charges, if any, to be adjusted to the date of settlement.

Lionel Bennett
Trustee

1-12-4t

Pd. by L.B.
2/14/83
Ck No. 7008

William B. Maddox, Jr., et al.
Plaintiffs

vs

Diane Barboza O'Neill, et al.
Defendants

In Equity No. 11,341
In the Circuit Court for
Somerset County, Maryland

AFFIDAVIT OF PURCHASER

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on this 5th day of February, 1983, before me, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Willaim B. Maddox, Jr., who made oath in due form of law as follows:

1. That in the sale sought to be ratified herein, he was not acting as agent for anyone.

2. That no other person is interested as principal, and Shirley M. Maddox, his wife.

3. That he has not directly or indirectly discouraged anyone from bidding for the said property.

Witness my hand and Notarial Seal.

[illegible]
[illegible]
[illegible], Maryland

Felda M. Massey
Notary Public

BOOK 043 PAGE 501

Bond Book 11, Page 182 BOOK 048 PAGE 502

IN THE CIRCUIT COURT OF SOMERSET COUNTY, In Equity No. 11,341

STATE OF MARYLAND

William B. Maddox, Jr., et al. Plaintiffs versus Diane Barboza O'Neill, et al. Defendants	TRUSTEE'S BOND

KNOW ALL MEN BY THESE PRESENTS: BOND No.

That we, Lionel Bennett as Principal, and the WESTERN SURETY COMPANY, a corporation duly licensed to do business in the State of Maryland, as Surety, are held and firmly bound unto the State of Maryland, in the full and just sum of TWO THOUSAND ($2,000.00) DOLLARS, current money of the United States of America, to be paid to the said State of Maryland, or its certain Attorney; for which payment, well and truly to be made and done, we bind ourselves, and each of us, our and each of our heirs, successors, assigns, executors and administrators, jointly and severally, firmly by these presents.

SEALED with our seals and dated this 9th day of February, 1983.

WHEREAS, by an order of the CIRCUIT COURT OF SOMERSET COUNTY, bearing date on the 9th day of February, 1983, and passed in a cause of the said Court, wherein

William B. Maddox, Jr., et al.
Plaintiffs
versus
Diane Barboza O'Neill, et al.
Defendants

the above bounden, Lionel Bennett, has been appointed Trustee.

NOW THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bounden Principal does and shall well and faithfully perform the trust reposed in him by said order, or that may be reposed in him by any future order or decree in the premises, then the above obligation to be void, otherwise to remain in full force and virtue in law.

Signed, sealed and delivered
in the presence of

As to Principal

Freda M Massey

As to Surety

Freda M Massey

Lionel Bennett
Principal

WESTERN SURETY COMPANY
By Lionel Bennett

Countersigned by Lionel Bennett Maryland Resident Agent.

THE WITHIN BOND APPROVED. PER: S. Theodore Phelps, CLERK. Bond Book 11, Page 182

Bond Book 11, Page 183

POWER OF ATTORNEY
(Irrevocable)

№ 1754115 R

Know All Men by These Presents:

That this Power of Attorney is not valid or in effect unless attached to the bond which it authorizes executed, but may be detached by the approving officer if desired.

That the Western Surety Company, a corporation, does hereby make, constitute and appoint LIONEL BENNETT in the City of CRISFIELD, State of MARYLAND, with limited authority, its true and lawful Agent, with full power and authority hereby conferred, to sign, execute, acknowledge and deliver for and on its behalf as Surety, one of the following bonds.

An ORIGINAL bond required by Statute, Decree of Court or Ordinance for:	MAXIMUM PENALTY
(A) ADMINISTRATOR CONSERVATOR CURATOR EXECUTOR GUARDIAN TRUSTEE – (Testamentary Only) SALE OF REAL OR PERSONAL PROPERTY –When this company has qualifying bond or when it is a separate bond for accounting of proceeds of sale only COMMISSIONER TO SELL REAL ESTATE REFEREE IN PARTITION TRUSTEE OR RECEIVER – (In Bankruptcy Only)	$1,000,000.00
(B) NOTARY PUBLIC PUBLIC OFFICIAL AND DEPUTIES RECEIVER – (In State Court Only)	$ 50,000.00
(C) PLAINTIFF'S COURT BOND, except bonds prohibited by (G): FOR CORPORATION ..... FOR ALL OTHERS	$ 10,000.00 $ 5,000.00
(D) COST ON APPEAL) EXCLUDING OPEN PENALTY, REMOVAL OF CAUSE) STAY, SUPERSEDEAS OR GUARANTEE OF A JUDGMENT	$ 500.00
(E) LICENSE PERMIT QUIET TITLE License and Permit limited to bonds where a county, city, town, village or township is the Obligee. Bonds to the state are not authorized, except special fuel users	$ 10,000.00 $ 1,000.00
(F) ANY BOND OR INDEMNITY provided there is attached to this Power of Attorney, written authority in the form of an endorsement, letter or telegram, signed by the Chairman of the Board, President, Vice-President, Secretary, Treasurer or Assistant Secretary of the Western Surety Company specifically authorizing its execution.	
(G) SUPERSEDEAS, OR OPEN PENALTY OR STAY BONDS ON APPEAL OR GUARANTEE OF JUDGMENT, OR BAIL BONDS OR CONSTRUCTION BID OR CONTRACT BONDS, OR A BOND FOR A DEFENDANT are not authorized by this Power of Attorney, except as provided in Section (F).	

The WESTERN SURETY COMPANY further certifies that the following is a true and exact copy of Section 7 of the By-Laws of the Western Surety Company, duly adopted and now in force, to-wit: "Section 7. All bonds, policies, undertakings or other obligations of the corporation shall be executed in the corporate name of the Company by the Chairman of the Board, President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The Chairman of the Board, President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or Agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings or other obligations of the corporation."

Dated this 1st day of April, 1973.

ATTEST _____ WESTERN SURETY COMPANY

Assistant Secretary

By Joe Kirby
President

STATE OF SOUTH DAKOTA }
County of Minnehaha } ss

On this 1st day of April, 1973, before me, a Notary Public, personally appeared JOE KIRBY, who being by me duly sworn, acknowledged that he signed the above Power of Attorney as President of the said WESTERN SURETY COMPANY and acknowledged said instrument to be the voluntary act and deed of said corporation.

My commission expires
My Commission Expires 5-9-81

FILED

BOOK 043 PAGE 503

Notary Public, South Dakota

I, the undersigned officer of the Western Surety Company, a stock corporation of the State of South Dakota, do hereby certify that the attached Power of Attorney is in full force and effect and is irrevocable; and furthermore, that Section 7 of the By-Laws of the company as set forth in the Power of Attorney, is now in force.

FEB 10 10 16 AM '83

In testimony whereof, I have hereunto set my hand and the seal of the Western Surety Company this *9th day of February, 19 83.

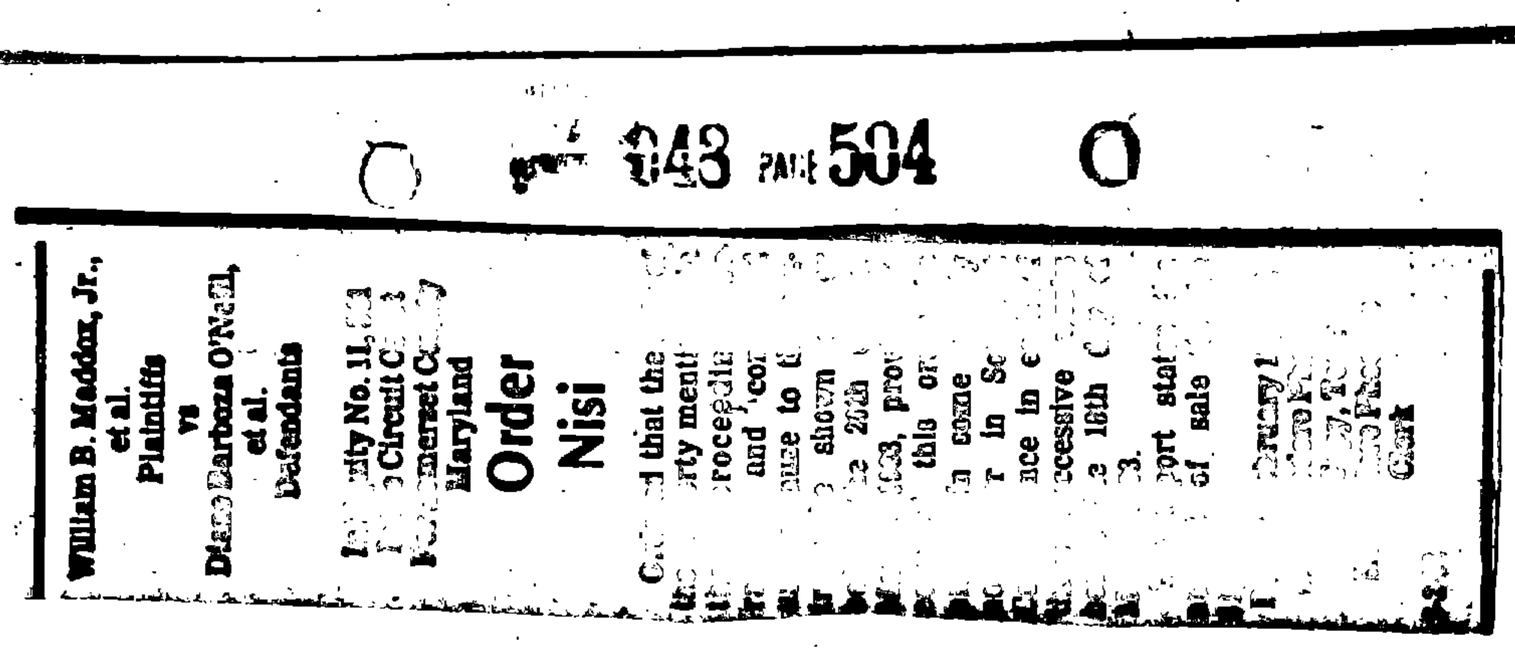
RECORDED IN LIBER 11 FOLIO 162 CIR. CT. BY DEPUTY

WESTERN SURETY COMPANY

By Joe Kirby
President

*IMPORTANT: This date must be filled in before this bond is attached to the bond and it must be the same date as the bond.

E9—6-73



CRISFIELD, MD. March 29, 19 83

THIS is to certify that the annexed Order Nisi

has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order Nisi for 3 weeks beginning with the issue of March 2, 19 83 and ending March 16, 19 83.

William A. Martin Jr.
Publisher, THE CRISFIELD TIMES

William B. Maddox, Jr., et al.
Plaintiffs

vs

Diane Barboza O'Neill, et al.
Defendants

In Equity No. 11,341
In the Circuit Court for
Somerset County, Maryland

ORDER NISI

Ordered that the sale of the property mentioned in these proceedings be ratified and confirmed unless cause to the contrary be shown on or before the 20th day of March, 1983, provided a copy of this order be printed in some weekly newspaper in Somerset County once in each of three successive weeks before the 18th day of March, 1983.

The report states the amount of sale to be $1,000.00.

Dated: Feb. 18, 1983.

S. Theodore Phelps

FINAL ORDER

Ordered by this Court this 4th day of April, 1983, that the sale made and reported by the trustee herein be and the same is hereby ratified and confirmed, no cause to the contrary having been shown.

Lloyd L. Griffiths
Judge

8

BOOK 043 PAGE 506

WILLIAM B. MADDOX, JR., ET AL	*	IN THE CIRCUIT COURT
Plaintiffs	*	FOR SOMERSET COUNTY
vs.	*	STATE OF MARYLAND
DIANE BARBOZA O'NEILL, ET AL	*	IN EQUITY NO. 11,341
Defendants	*	
	*	

FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he made an examination of the proceedings in the above entitled cause and from them and the list of expenses furnished him therein, states the following Account:

Amount of Sale			$ 1,000.00
Fees, Costs, Expenses, etc.:			
I. Theodore Phoebus, Clerk		$ 185.00	
Crisfield Times		74.00	
Notice of Sale	$43.20		
Order Nisi	30.80		
Western Surety - Bond Premium		30.00	
William A. Martin, Examiner		25.00	
Logan C. Widdowson, Auditor		65.00	
Davis & Dorward - Servings Costs		62.00	
Photocopies		10.00	
William C. Laird - removal of building		375.00	
City of Crisfield Taxes:			
Back Taxes		79.35	
78-79		22.99	
79-80		22.15	
80-81		22.39	
81-82		24.24	
82-83		25.65	
Carlos Bozman, Treasurer for State & County Taxes			
Back Taxes		55.76	
72-73		10.78	
73-74		10.60	
75-76		9.72	
76-77		14.77	
78-79		17.81	
79-80		16.52	
80-81		16.52	
81-82		18.73	
82-83		20.77	
Total Fees, Costs, Expenses, etc.		$1,214.75	
Deficit			$ 214.75

No Funds to be Distributed

ALL EXCEPTIONS to said report must be filed within fifteen (15) days of the date of filing; if no exceptions are filed, the account may be ratified.

LOGAN C. WIDDOWSON
ATTORNEY AT LAW
NORTH SOMERSET AVENUE
PRINCESS ANNE, MD. 21853
651-3800

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing on the date of the filing of the Audit notice of this report to the following parties by regular U.S. mail:

Betty Jo Barboza
c/o Samuel Barboza
11448 So. Oxford Avenue
Hawthorne, CA 90250

Carol Barboza Zilkoski
Rt. #1, Box 28
Loleta, CA 95551

Brice Barboza
1980 Benwood
Covina, CA 91722

Diane Barboza O'Neill
c/o Samuel Barboza
11448 So. Oxford Avenue
Hawthorne, CA 90250

William B. Maddox, Jr. and
Shirley M. Maddox
E. Chesapeake Avenue
Crisfield, MD 21817

Law Office of
Lionel Bennett
945 W. Main Street
Crisfield, MD 21817

Logan C. Widdowson, Auditor

Date of Filing: May 16, 1983

LOGAN C. WIDDOWSON
ATTORNEY AT LAW
NORTH SOMERSET AVENUE
PRINCESS ANNE, MD. 21853
651-3600

LCW/gjb
5/16/83
83 # 136

BOOK 048 PAGE 507

BOOK 043 PAGE 508

WILLIAM B. MADDOX, JR., ET AL	*	IN THE CIRCUIT COURT
Plaintiffs	*	FOR SOMERSET COUNTY
vs.	*	STATE OF MARYLAND
DIANE BARBOZA O'NEILL, ET AL	*	IN EQUITY NO. 11,341
Defendants	*	

PETITION FOR APPOINTMENT OF SUBSTITUTE TRUSTEE

The Law Office of Logan C. Widdowson respectfully represents unto this Honorable Court as follows:

1. That Lionel Bennett, the Attorney in this matter, died on April 11, 1983.

2. That Cecile B. Davis and Stephanie Davis Dorward were appointed Personal Representatives of the Estate of Lionel Bennett, and they are residents of the State of California.

3. That in order to finalize the matters in this case it is necessary that a Substitute Trustee be appointed in order to sign the deed conveying the property.

4. That Felda Massey was the secretary for Lionel Bennett, and she is currently employed by the Estate to assist in "closing" Mr. Bennett's Office, and she has first hand knowledge of the proceedings in this matter.

WHEREFORE, your Petitioner prays this Honorable Court to:

A. Sign an Order appointing Felda Massey as Trustee to convey the property which is the subject matter of these proceedings to the Purchaser.

B. Pass such further orders necessary to satisfy this cause.

AND, AS IN DUTY BOUND, ETC.

LAW OFFICE OF LOGAN C. WIDDOWSON

By _____
Logan C. Widdowson
47 North Somerset Avenue
Princess Anne, MD 21853
Telephone: 651-3800

LOGAN C. WIDDOWSON
ATTORNEY AT LAW
NORTH SOMERSET AVENUE
PRINCESS ANNE, MD. 21853
651-3800

WILLIAM B. MADDOX, JR., ET AL	*	IN THE CIRCUIT COURT
Plaintiffs	*	FOR SOMERSET COUNTY
vs.	*	STATE OF MARYLAND
DIANE BARBOZA O'NEILL	*	IN EQUITY NO. 11,341
Defendants	*	
	*	

ORDER OF COURT

Upon reading and considering the aforegoing Petition, it is thereupon ORDERED on this 23rd day of May, 1983 that Felda Massey is appointed Substitute Trustee, for the specific purpose of conveying the property which is the object of these proceedings, due to the death of Lionel Bennett, Esquire.

Lloyd L. Griffin
JUDGE

LOGAN C. WIDDOWSON
ATTORNEY AT LAW
NORTH SOMERSET AVENUE
PRINCESS ANNE, MD. 21853
651-2600

BOOK 048 PAGE 510

No. 11,341 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 16th day of May, 19 83 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the 31st day of May, 19 83.

J. Theodore Phoebus
CLERK

No exceptions having been filed, and no cause to the contrary having been shown, IT IS ORDERED by the Circuit Court for Somerset County, in Equity, this 2nd day of June, 19 83 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

J. Theodore Phoebus
CLERK

MAR 22 1984
Exd.

JUL 20-82 A 025548D*****10.00
JUL 20-82 A 025547D*****60.00

In the Matter of the Foreclosure of a Mortgage from Terry James Eberhart

Ex Parte

: NO. 11335 CHANCERY

: IN THE CIRCUIT COURT FOR

: SOMERSET COUNTY, MARYLAND

: : :

ORDER TO DOCKET

MR. CLERK:

Please docket suit as above, file the attached mortgage for foreclosure and file the Affidavit of Debt.

Thomas S. Simpkins
51 N. Somerset Ave.
Princess Anne, Md. 21853
651-1400

FOR MORTGAGE SEE LIBER ITP NO. 311 FOLIO 633

FOR ASSIGNMENT SEE LIBER ITP NO. 333 FOLIO 362

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. SOMERSET AVE.
P.O. BOX 307
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

BOOK 048 PAGE 512

In the Matter of the Foreclosure of a Mortgage from Terry James Eberhart : NO. 11335 CHANCERY

Ex Parte : IN THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND

: : : : :

AFFIDAVIT OF DEBT

STATE OF MARYLAND, COUNTY OF SOMERSET, SS:

I hereby certify that on this 19th day of July 1982, before me, the subscriber, a notary public in and for the state and county aforesaid, personally appeared William T. Chaffey, III, one of the owners of the mortgage from Terry James Eberhard dated December 18th, 1978 and recorded among the Land Records of Somerset County, Maryland, in Liber 311, folio 633, who first being duly sworn according to law, deposes and says that there is justly due and owing on said mortgage the sum of Thirty-Two Thousand Six Hundred Sixteen Dollars and Forty-Five Cents [$32,616.45] to July 19th, 1982, and at $8.82 per diem thereafter.

As Witness my hand and Notarial Seal.

Jean Taylor
Notary Public

JEAN TAYLOR NOTARY PUBLIC SOMERSET COUNTY MD

My commission expires July 1, 1986

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. SOMERSET AVE.
P.O. BOX 207
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

WORKSHEET

	PAYMENT	ACCRUED INTEREST	BALANCE	
Principal 12/18/79			$ 35,000.00	
Interest to 1/15/79		287.70	35,287.70	
CREDIT PYMT 1/15/79	287.70		35,000.00	
Int. 1/16/79 to 7/15/79		1,750.00	36,750.00	
CREDIT PYMT 7/15/79	2,256.72		34,493.28	
Int. 7/16/79 to 1/15/80		1,724.67	36,217.95	
CREDIT PYMT 1/15/80	2,256.72		33,961.23	
Int. 1/16/80 to 7/15/80		1,698.06	35,659.29	
CREDIT PYMT 7/15/80	2,256.72		33,402.57	
Int. 7/16/80 to 1/15/81		1,670.13	35,072.70	
CREDIT PYMT 1/15/81	2,256.72		32,815.98	
Int. 1/16/81 to 7/15/81		1,640.80	34,456.78	
CREDIT PYMT 7/15/81	2,256.72		32,200.06	
Int. 7/16/81 to 1/15/82		1,610.01		
CREDIT PYMT 1/15/82 (Interest only)	573.37		1,036.64*	I
Int. 1/16/82 to 7/15/82		1,610.01	2,646.65*	I
CREDIT PYMT 7/15/82	2,256.72		389.93*	I
Int. 7/16/82 to 7/19/82		26.46	416.39*	I
Total Principal and Interest 7/19/82			32,616.45	
+ $8.82 per diem				

*Interest balance only

BOOK 048 PAGE 513

THOMAS S. SIMPKINS
ATTORNEY AT LAW
31 N SOMERSET AVE.
P.O. BOX 207
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

AUG 12-82 B 925996 *****10.00
AUG 12-82 B 925995D*****10.00

BOOK 048 PAGE 514

TERRY JAMES EBERHART Rte. #1, Box 382 Marion, Maryland 21838 Plaintiff	:	NO. 11,335 CHANCERY IN THE CIRCUIT COURT
vs.	:	FOR SOMERSET COUNTY,
WILLIAM T. CHAFFEY, III, et ux. Rte. #1, Box 312A Marion, Maryland 21838	:	STATE OF MARYLAND.
Defendants	:	

* * * * * * *

PETITION FOR INJUNCTION TO STAY FORECLOSURE

Now comes Terry James Eberhart, Plaintiff, by and through his attorneys, Dirk W. Widdowson and Eaton and Widdowson, P.A., and petition this Honorable Court to issue an injunction to stay foreclosure stating the following:

1. Plaintiff is a resident of the County of Somerset, State of Maryland, and is the mortgagor in the mortgage described below.

2. Defendants are residents of the County of Somerset, State of Maryland, and is the mortgagee in the mortgage described below.

3. Defendants, William T. Chaffey, III, et ux., have commenced proceedings in the County of Somerset, State of Maryland, to foreclose by advertisement and sale a certain mortgage on property located in the County of Somerset, State of Maryland, and described as follows:

> ALL that lot or parcel of land situate, lying and being in Larson's Election District, Somerset County, Maryland, BEGINNING for the same at an iron pipe set at the intersection of Turpin Rd. and a private lane; thence, by and with Turpin Rd. North 45 degrees 25 minutes 30 seconds West, 180.30 feet to an iron pipe; thence, by and with said road North 49 degrees 10 minutes 16 seconds West, 188 feet to an iron pipe; thence North, 40 degrees 58 minutes 28 seconds East, to an iron pipe in a ditch; thence, by and with center line of said ditch South 57 degrees 33 minutes 12 seconds East, 230 feet to an iron pipe set on Northwesternmost edge of said private lane; thence, by and with said lane South 10 degrees 58 minutes 48 seconds West, 281.02 feet to iron pipe at place of beginning, containing

LAW OFFICES
EATON & WIDDOWSON, P.A.
118 East Main Street
P.O. Box 41
Salisbury, MD. 21801
(301) 749-1530

1.50 acres, more or less.

4. The aforementioned proceedings have been brought by Defendants to foreclose under power of sale a mortgage dated December 18, 1978, given by Plaintiff to Defendants, to secure an indebtedness of Thirty-five Thousand Dollars ($35,000.00) principal, with interest at ten percent (10%) per annum, owing from Plaintiff to Defendants. The mortgage was recorded in the office of the Land Records of the Circuit Court of Somerset County, Maryland, in Liber I.T.P. 311, Folio 633, on December 19, 1978.

5. Plaintiff has a valid defense against collection of the amount claimed by Defendants to be due on the above described mortgage, in that Plaintiff claims that there is no sum due on the debt, that said debt is current. Plaintiff at all times since July 15, 1982, has been ready, willing and able, and now is ready, willing and able, to pay said debt as same shall become due and to keep said mortgage debt current.

6. Unless Defendants are restrained from proceeding with the aforementioned foreclosure by advertisement, Plaintiff will suffer irreparable injury, in that if such foreclosure by Defendants occur, Plaintiff will loose his equity of redemption and all his other interest in said property.

7. Plaintiff has no adequate remedy at law, or otherwise, for the reasons set forth in Paragraphs 5 and 6 herein above.

WHEREFORE, Plaintiff prays:

(a) That a temporary restraining order issue restraining Defendants, their agents and employees, from foreclosing the above mortgage by advertisement until a hearing is held on Plaintiff's application for a preliminary injunction.

(b) That a preliminary injunction issue enjoining Defendants, their agents and employees, from foreclosing the above mortgage by

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118 East Main Street
P.O. Box 41
Salisbury, MD. 21801
(301) 749-1530

advertisement, during the pendency of this action.

(c) That, on a final hearing, Defendants, their agents and employees, be permanently enjoined from foreclosing the above mortgage by advertisement and that the Court issue its order directing that all further proceedings for the foreclosure of the mortgage be had in this Court.

(d) That Plaintiff be granted such additional relief as may seem equitable to the Court, including but not limited to a judgment for reasonable attorney's fees and the cost of these proceedings.

EATON AND WIDDOWSON, P.A.

Dirk W. Widdowson

Dirk W. Widdowson
118 East Main Street
P. O. Box 41
Salisbury, Maryland 21801

I DO SOLEMNLY swear and affirm under the penalties of perjury that the contents of the foregoing document are true and correct.

DATED: Aug. 12 1982

Terry James Eberhart

Terry James Eberhart
Plaintiff

MEMORANDUM POINTS AND AUTHORITIES

Maryland Rule W 76(b)
Maryland Rule BB 70, et seq.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on this 12TH day of August, 1982, I mailed a copy of the foregoing Petition For Injunction To Stay Foreclosure by regular U.S. Mail, postage prepaid, to Thomas S. Simpkins, Esquire, 51 North Main Street, Princess Anne, Maryland 21853.

Dirk W. Widdowson

Dirk W. Widdowson

LAW OFFICES
EATON & WIDDOWSON, P.A.
118 East Main Street
P.O. Box 41
Salisbury, MD. 21801
(301) 749-1530

TERRY JAMES EBERHART Rte. #1, Box 382 Marion, Maryland 21838 Plaintiff	:	NO. 11,335 CHANCERY IN THE CIRCUIT COURT
vs.	:	FOR SOMERSET COUNTY,
WILLIAM T. CHAFFEY, III, et ux. Rte. #1, Box 312A Marion, Maryland 21838 Defendants	:	STATE OF MARYLAND.

* * * * * *

ORDER

The above entitled matter having come on for hearing on _____, 1982, on the duly verified Petition of Terry James Eberhart, and it appearing to this Court that William T. Chaffey, III, et ux., mortgagees, is attempting to foreclose by advertisement a certain mortgage, dated December 18, 1978, and recorded in the Office of the Land Records of the Circuit Court for Somerset County, State of Maryland, in Liber I.T.P. No. 311, Folio 633, on December 19, 1978, on the following described real property:

> ALL that lot or parcel of land situate, lying and being in Lawson's Election District, Somerset County, Maryland, BEGINNING for the same at an iron pipe set at the intersection of Turpin Rd. and a private lane; thence, by and with Turpin Rd. North 45 degrees 25 minutes 30 seconds West, 180.30 feet to an iron pipe; thence, by and with said road North 49 degrees 10 minutes 16 seconds West, 188 ft. to an iron pipe; thence, North 40 degrees 58 minutes 28 seconds East, to an iron pipe in a ditch; thence, by and with center line of said ditch South 57 degrees 33 minutes 12 seconds East, 230 feet to an iron pipe set on Northwesternmost edge of said private lane; thence, by and with said lane South 10 degrees 58 minutes 48 seconds West, 281.02 feet to iron pipe at place of beginning, containing 1.50 acres, more or less.

IT APPEARING FURTHER, that Terry James Eberhart, mortgagor, has a valid defense to all, or part, of the amount claimed to be due on the debt secured by the mortgage;

IT IS HEREBY ORDERED, ADJUDGED and DECREED that William T. Chaffey, III, et ux. be, and he hereby is perpetually enjoined

LAW OFFICES
EATON & WIDDOWSON, P.A.
115 East Main Street
P.O. Box 41
Salisbury, MD. 21801
(301) 749-1530

from proceeding with the foreclosure by advertisement of the above described mortgage.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that all further proceedings for the foreclosure of the above mortgage be had before a Court having jurisdiction of the subject matter.

DATED: _____ _____

Judge

LAW OFFICES
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118 East Main Street
P.O. Box 41
Salisbury, MD. 21801
(301) 749-1530

revenues from delinquent taxes to help make this possible. Delinquent taxpayers, and we're sure there are more than the four pointed out in the letter, are allowed to be at least two years in arrears before they become subject to being advertised as being delinquent, is our understanding. We don't believe by being "a little behind" in paying taxes makes a person any less capable of performing his duty as an elected official. Commissioner Earl Warwick, as stated above, has paid his taxes. Candidate Jerry W. McCready paid his on August 6th.)

Fall Registration For Credit Classes

Fall registration for credit classes at Wor-Wic Tech Community College will be held at the college's main administrative center at 1202 Old Ocean City Road in Salisbury on Wednesday and Thursday, August 18 and 19, from 9 a.m. to 9 p.m., and on Friday, August 20, from 9 a.m. to 5 p.m.

Registration will be held also at Wor-Wic Tech's Berlin-Ocean City Instructional Center at the Berlin Shopping Center on Thursday, August 19, from 1 to 4 p.m. New students are welcome and fall credit class schedules are available in advance by contacting Wor-Wic Tech's student service office at 749-8181, Ext. 28.

2nd Chapter Of Acts Church Activities

The Second Chapter of Acts Church, Arcade Theatre Building, at 403 W. Main St., Crisfield will show a motion picture "Fire In The Sky" on August 15th at 7 p.m. Admission is free.

Church services scheduled for the church are Wednesdays at 7:30 p.m., Fridays-Bible Study at 7:30 p.m. and Saturdays and Sundays 7:30 p.m. The pastor is Robert M. Best.

Any young boys between the ages of 7 and 18 that would be interested in joining a scouting group (Royal Rangers) are asked to contact Rev. Robert Best at the church or call 968-9897.

Activities At Ebenezer Church

On August 15th, a Pew Rally will be held at the 12 noon service at Ebenezer United Methodist Church.

August 21-22nd will be Ebenezer Evangelism weekend. On Saturday, Rev. Otho Waters will be the guest speaker at the 7:30 p.m. service. On Sunday, Rev. George Taylor will be the guest speaker at 3:30 p.m.

The Nicole Singer Sisters will present a program on Saturday, August 28th at 7:30 p.m. at Ebenezer Church.

...e your best bet for buying or selling; read them weekly

WANT ADS

968-1188

estate, at law and in equity, of the said William F. Price in and to all that tract in Brinkleys Election District on the West side of the County Road leading in a Southerly direction from Maryland Route 667 to Marumsco described on a plat and certificate by Levin H. Hall, Surveyor, dated September 26, 1930 recorded among the Land Records of Somerset County in Liber G.W.L. No. 100, folio 453 as containing 12 acres, more or less, conveyed unto William F. Price by Virginia B. Miles, widow by deed dated October 12, 1971 and recorded as aforesaid in Liber I.T.P. No. 262, folio 762.

This land is improved by an old dwelling house of little value and two broiler houses, one containing 8400 square feet and the other containing 7560 square feet according to the Assessment Records of Somerset County.

I hereby give notice that on the 7th day of September, 1982, at 11:00 a.m. on the Somerset County Courthouse steps, Prince William Street, Princess Anne, Maryland, I will offer for sale the said property so seized and taken in execution, by public sale, to the highest bidder for cash, or certified check or bank cashier's check approved by Sheriff. 1982-83 State and County real estate taxes will be prorated as of the date of sale; the purchaser (s) will be responsible for the payment of the Maryland Agricultural Transfer Tax (if applicable) and will be responsible for the payment of all fees and costs for preparation of the deed, recording costs, notary fees, transfer tax, documentary stamps, title examination (if requested), and title insurance (if requested).

For further details prospective purchaser (s) should contact Alexander G. Jones, Attorney-at-Law, 311 S. Somerset Avenue, Princess Anne, Maryland 21853, Telephone (301) 651-2747.

Thomas H. Forwell
Sheriff Of
Somerset County

8-11-4t

TH... AS S. SIMPKINS
Attorney at Law
51 N. Somerset Avenue
Princess Anne, Md. 21853

Mortgage Foreclosure Sale

Of Valuable Residential Property

Lawson's Election District Somerset County, Maryland

UNDER and by virtue of the power of sale contained in a mortage from Terry James Eberhart to William T. Chaffey, III, and Diane J. Chaffey, and recorded among the Land Records of Somerset County, Maryland, in Liber 311, folio 633, et seq., and assigned unto Thomas S. Simpkins for the purpose of foreclosure and collection, and default having occurred under the terms therein, I hereby give notice as required by law that I will offer for sale at public auction to the highest bidder therefor on

TUESDAY, AUGUST 31, 1982 at 2:00 P.M. at The Prince William Street Door of The Somerset County Courthouse, Princess Anne, Maryland

the following land and improvements thereon:

All that lot or parcel of land situate, lying and being in Lawson's Election District, Somerset County, Maryland, beginning for the same at an iron pipe set at the intersection of Turpin Road and a private lane, thence, by and with Turpin Road N.45°25'30" W. 180.30 ft. to an iron pipe; thence, by and with said road N.49° 10'16"W. 188 ft. to an iron pipe; thence N.40°58'28"E. to an iron pipe in a ditch; thence by and with the center line of said ditch S.57°33'12"E. 230 ft. to an iron pipe set on the Northwesternmost edge of said private lane; thence by and with said lane S.10°58'48"W. 281.02 ft. to an iron pipe at the place of beginning; containing 1.50 acres, more or less, as depicted on a plat recorded among the Land Records of Somerset County, Maryland, in Liber 311, folio 632; and being the same land which was conveyed unto Terry James Eberhart by William J. Johnson, by deed dated December 18, 1978 and recorded among the aforesaid Land Records in Liber 311, folio 630.

IMPROVEMENTS

This property is improved by a 7-room single-story bungalow, consisting of 3 bedrooms, living room, kitchen, dining room, utility room and full bath. Oil-fired hot air heat, fully insulated, aluminum siding with unattached garage.

TERMS OF SALE

$3,500 on day of sale by cash or certified check; balance upon ratification of sale, unpaid portion to bear interest at 10% to date of settlement. All title papers, revenue stamps, recording costs and other closing costs at the expense of the purchaser.

THOMAS S. SIMPKINS
Attorney and Assignee
51 N. Somerset Avenue
Princess Anne, Md. 21853
301-651-1600

8-11-4t

more than 150 days ... August 25, 1982.

(2) That proceedings ... the justice and reasona... ness of the revised sched... of rates and charges he... before suspended are her... instituted by the Comm... sion.

(3) That parties, who demonstrate sufficient ... terest and desire to prod... direct evidence and ... believe they cannot ... quately be represented by ... Office of People's Coun... may request leave to ... tervene through their ... counsel in this proceeding ... filing with the Commiss... fifteen (15) copies of a p... tion seeking interventi... such petition to be addres... to the Commission, Americ... Building, 231 E. Baltim... Street, Fourteenth Flo... Baltimore, Maryland 212... by no later than the close ... business on Tuesday, Aug... 24, 1982.

(4) That a Prehearing Co... ference is hereby set ... Wednesday, August 25, 19... at 1:00 p.m., in the Fou... teenth Floor Hearing Roo... American Building, 231 ... Baltimore Street, Baltimor... Maryland, at which time pe... tions seeking interventio... will be considered and th... evidentiary hearing date ... set.

(5) That additional hearin... sessions, in the service are... of the Company, providin... opportunity for the gener... public to present comment... to the Commission on the Ap... plication of the Company fo... increased rates and charges ... will be specified in an inser... to be included with custome... bills mailed prior to such ad... ditional hearing sessions.

(6) That persons desiring to ... submit written comments ... regarding this proposal may ... forward such comments to ... the Public Service Commission, American Building, Fourteenth Floor, 231 E. Baltimore Street, Baltimore, Maryland 21202.

PROVIDED, The Chesapeake and Potomac Telephone Company of Maryland shall cause a copy of this Order to be published in four newspapers in general circulation in the Baltimore City Metropolitan Area, in newspapers in general circulation in the Maryland portion of the Washington, D. C. Metropolitan Area, and in one daily or weekly newspaper in general circulation published in each of the twenty-three counties of the State of Maryland at least one time in each newspaper during the week beginning August 9, 1982, and at least one time in each newspaper during the week beginning August 16, 1982. Certificates of publication shall be filed with the Commission thereafter as promptly as possible.

By Direction
Of The Commission
DONALD B. ... JR.
Executive Secretary

8-11-2t

BOOK 048 PAGE 520

TERRY JAMES EBERHART Rte. #1, Box 382 Marion, Maryland 21838	*	NO. 11,395 CHANCERY
	*	IN THE CIRCUIT COURT
Plaintiff	*	FOR SOMERSET COUNTY
VS.	*	STATE OF MARYLAND
WILLIAM T. CHAFFEY, III, et ux. Rte, #1, Box 312A Marion, Maryland 21838	*	
Defendants	*	

* * * * * * *

SHOW CAUSE ORDER

ORDERED, by the Court this 17 day of August, 1982 that the Defendants, WILLIAM T. CHAFFEY, III, et ux., show cause on or before the 24 day of August, 1982 at 1:30 P.M. why the relief prayed in the foregoing Petition For Injunction To Stay Foreclosure should not be granted, provided a copy of the Petition For Injunction To Stay Foreclosure and of this Order be served on the said Defendants or their attorney on or before the 21 day of August, 1982.

Theodore G. Bachenburg
JUDGE

LAW OFFICES
EATON & WIDDOWSON,
P. A.
116 East Main Street
P.O. Box 41
Salisbury, MD. 21801
(301) 749-1530

TERRY JAMES EBERHART Rte. #1, Box 382 Marion, Maryland 21838	:	NO. 11,335 CHANCERY
	:	IN THE CIRCUIT COURT
Plaintiff	:	FOR SOMERSET COUNTY,
vs.	:	STATE OF MARYLAND.
WILLIAM T. CHAFFEY, III, et ux. Rte. #1, Box 312A Marion, Maryland 21838	:	
Defendants	:	

* * * *

REQUEST FOR SUMMONS FOR WITNESS

Mr. Clerk:

Issue summons for the following witness:

Melvin West
Rte. #2, P-12
Millsboro, Delaware 19966

to testify for Terry James Eberhart, Plaintiff.

Eaton and Widdowson, P.A.
Robert A. Eaton
Dirk W. Widdowson
118 East Main Street
P. O. Box 41
Salisbury, Maryland 21801
749-1530

Attorney for Plaintiff

LAW OFFICES
EATON & WIDDOWSON,
P. A.
118 East Main Street
P.O. Box 41
Salisbury, MD. 21801
(301) 749-1530

BOOK 043 PAGE 522

TERRY JAMES EBERHART Rte. #1, Box 382 Marion, Maryland 21838	:	NO. 11,335 CHANCERY
Plaintiff	:	IN THE CIRCUIT COURT
vs.	:	FOR SOMERSET COUNTY,
WILLIAM T. CHAFFEY, III, et ux. Rte. #1, Box 312A Marion, Maryland	:	STATE OF MARYLAND.
Defendants	:	

* * * *

REQUEST FOR SUMMONS DUCES TECUM

Mr. Clerk:

Issue summons duces tecum to Diane J. Chaffey, Rte. #1, Box 312A, Marion, Maryland 21838, to testify for Terry James Eberhart, Plaintiff, and to produce the following:

1. Mortgage to William T. Chaffey, III from Terry James Eberhart, dated December 19, 1978, and being recorded in the office of the Land Records of the Circuit Court of Somerset County, Maryland, in Liber I.T.P. 311, Folio 633, including all records of payment.

2. All papers, books, accounts and records in his possession, custody or control relating to any accounts receivable held by William T. Chaffey, III, and Diane J. Chaffey, his wife, individually or jointly.

3. Any accounts of records of payments of Terry James Eberhart to William T. Chaffey, Diane J. Chaffey or Kingston Construction Company.

4. All correspondence between Terry James Eberhart and William C. Chaffey, III, Diane J. Chaffey and Kingston Construction Company relating to the mortgage from Terry James Eberhart.

LAW OFFICES
EATON & WIDDOWSON, P.A.
118 East Main Street
P.O. Box 41
Salisbury, MD. 21801
(301) 749-1530

5. One yellow legal pad of paper showing accounting of arrangement between Terry James Eberhart and William T. Chaffey, III, et ux., in regard to bill from Terry James Eberhart to William T. Chaffey, III in regard to work performed by Terry James Eberhart for said William T. Chaffey, III on construction of Andrew Robinson's chicken house, during the period of time of December 30, 1981 to January 8, 1982, prepared on or about January 14, 1982.

Eaton and Widdowson, P.A.
Robert A. Eaton
Dirk W. Widdowson
118 East Main Street
P. O. Box 41
Salisbury, Maryland 21801
749-1530

Attorney for Plaintiff

LAW OFFICES
EATON & WIDDOWSON,
P. A.
118 East Main Street
P.O. Box 41
Salisbury, MD. 21801
(301) 749-1530

TERRY JAMES EBERHART Rte. #1, Box 382 Marion, Maryland 21838	:	NO. 11,335 CHANCERY
Plaintiff	:	IN THE CIRCUIT COURT
vs.	:	FOR SOMERSET COUNTY,
WILLIAM T. CHAFFEY, III, et ux. Rte. #1, Box 312A Marion, Maryland 21838	:	STATE OF MARYLAND.
Defendants	:	

* * *

REQUEST FOR SUMMONS DUCES TECUM

Mr. Clerk:

Issue summons duces tecum to William T. Chaffey, III, Rte. #1, Box 312A, Marion, Maryland 21838, to testify for Terry James Eberhart, Plaintiff, and to produce the following:

1. Mortgage to William T. Chaffey, III from Terry James Eberhart, dated December 19, 1978, and being recorded in the office of the Land Records of the Circuit Court of Somerset County, Maryland, in Liber I.T.P. 311, Folio 633, including all papers, books, accounts and records in his possession, custody or control relating to mortgage of Terry James Eberhart, including records of payment.

2. All papers, books, accounts and records in his possession, custody or control relating to any accounts receivable held by William T. Chaffey, III, and Diane J. Chaffey, his wife, individually or jointly.

3. Any accounts of records of payments of Terry James Eberhart to William T. Chaffey, Diane J. Chaffey or Kingston Construction Company.

4. All correspondence between Terry James Eberhart and William C. Chaffey, III, Diane J. Chaffey and Kingston Construction Company relating to the mortgage from Terry James Eberhart.

LAW OFFICES
EATON & WIDDOWSON, P.A.
118 East Main Street
P.O. Box 41
Salisbury, MD. 21801
(301) 749-1530

5. One yellow legal pad of paper showing accounting of arrangement between Terry James Eberhart and William T. Chaffey, III, et ux, in regard to bill from Terry James Eberhart to William T. Chaffey, III in regard to work performed by Terry James Eberhart for said William T. Chaffey, III on construction of Andrew Robinson's chicken house, during the period of time of December 30, 1981 to January 8, 1982, prepared on or about January 14, 1982.

Eaton and Widdowson, P.A.
Robert A. Eaton
Dirk W. Widdowson
118 East Main Street
P. O. Box 41
Salisbury, Maryland 21801
749-1530

Attorney for Plaintiff

LAW OFFICES
EATON & WIDDOWSON,
P. A.
118 East Main Street
P.O. Box 41
Salisbury, MD. 21801
(301) 749-1530

BOOK 048 PAGE 526

TERRY JAMES EBERHART Rte. #1, Box 382 Marion, Maryland 21838	*	NO. 11,335 CHANCERY
	*	IN THE CIRCUIT COURT
Plaintiff	*	FOR SOMERSET COUNTY
VS	*	STATE OF MARYLAND
WILLIAM T. CHAFFEY, III, et ux. Rte, #1, Box 312A Marion, Maryland 21838	*	
Defendants	*	

* * * * * * *

SHOW CAUSE ORDER

ORDERED, by the Court this 17 day of August, 1982 that the Defendants, WILLIAM T. CHAFFEY, III, et ux., show cause on or before the 24 day of August, 1982 at 1:30 P.M. why the relief prayed in the foregoing Petition For Injunction To Stay Foreclosure should not be granted, provided a copy of the Petition For Injunction To Stay Foreclosure and of this Order be served on the said Defendants or their attorney on or before the 21 day of August, 1982.

Hodson J. Gaskins
JUDGE

TRUE COPY, TEST: S. Theodore Phoebus Clerk

LAW OFFICES
EATON & WIDDOWSON, P.A.
118 East Main Street
P.O. Box 41
Salisbury, MD. 21801
(301) 749-1530

WRIT OF SUBPOENA: WITH CLAIM FOR INJUNCTION No. 11,335 Chancery Case

The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland,
Somerset County, to wit:

TO William T. Chaffey, III
Rte, #1, Box 312A
Marion, Maryland 21838

and

Diane J. Chaffey, his wife
Rte, #1, Box 312A
Marion, Maryland 21838

GREETING:

We command and enjoin you that you do within the time limited by law, ~~beginning on the first Monday of next and ending fifteen days thereafter~~ AS PER COPY OF SHOW CAUSE ORDER ATTACHED HERETO cause your answer or other defense to be filed to the complaint of Terry James Eberhart
Rte. #1, Box 382
Marion, Maryland 21838

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable ~~Daniel T. Patterson~~ Richard M. Pollitt Chief Judge of the First Judicial Circuit of Maryland.

Issued the 17th day of August, 19 82.

~~TO THE DEFENDANT(S):~~

~~You are required to file your answer or other defense in the Clerk's Office on or before the day of, 19. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant may obtain a decree pro confesso against you which upon proper proof may be converted into a final decree for the relief demanded.~~

Solicitor for Complainant(s)
Eaton and Widdowson, P.A.
Dirk W. Widdowson
Name
118 East Main Street
P.O. Box 41
Salisbury, Maryland 21801
Address

BOOK 048 PAGE 527

I. Theodore Phoebus
Clerk

BOOK 048 PAGE 528

SHERIFF'S RETURN

Summoned and copy of Show Cause Order & Subpoena

served with Thomas Springfield

this 19 day of August, 1982.

Sheriff.

FILED

AUG 23 2 36 PM '82

RECORDED IN
LIBER NO ____ FOLIO ____
THEODORE PHOEBUS, CLK.CT.C.
BY ____ DEPUTY

In the Matter of the Foreclosure of a Mortgage from Terry James Eberhart	:	NO. 11,335 CHANCERY
	:	IN THE CIRCUIT COURT FOR
Ex Parte	:	SOMERSET COUNTY, MARYLAND
	:	

: : : : : : :

MOTION RAISING PRELIMINARY OBJECTION

The named respondent, William T. Chaffey, III, by Thomas S. Simpkins, moves this Honorable Court to dismiss the petition for injunction filed in this cause and for reason, says:

(1) That he is not a party to this cause, i.e., the mortgage was assigned at the commencement of foreclosure proceedings.

(2) There is no allegation in the petition negating a default in the mortgage which is a condition precedent to give this Honorable Court jurisdiction.

(3) The Show Cause Order issued herein requires an answer sooner than 10 days from service although no proof of irreparable damage by affidavit has been filed in this cause, contrary to the Rules of Maryland procedure.

Thomas S. Simpkins, Attorney for
William T. Chaffey, III

Authority:

Maryland Rule 323(a) 8
Maryland Rule W 76b2 (ii)
Maryland Rule 324b3

I hereby certify that on this 23rd day of August 1982, I did forward a copy of the foregoing to Dirk W. Widdowson, Esq., P.O. Box 41, Salisbury, Md., 21801, by regular U.S. Mail, postage prepaid.

Thomas S. Simpkins

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. SOMERSET AVE.
P.O. BOX 207
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

BOOK 048 PAGE 530

In the Matter of the Foreclosure of a Mortgage from Terry James Eberhart Ex Parte	:	NO. 11,335 CHANCERY IN THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND

: : : : : : :

ANSWER TO SHOW CAUSE ORDER

The answer of Thomas S. Simpkins, attorney and assignee in the above cause, respectfully represents:

(1) That a motion raising preliminary objection in this cause has been heretofore filed.

(2) That the mortgagor defaulted in the covenants expressed in the mortgage by:

(a) Failing to make payments as covenanted;

(b) Failing to pay taxes when due;

(c) Failing to keep the property insured for the protection of the mortgagees' interest.

(3) That the petition and show cause order do not comply with the Maryland Rules of Procedure in that there is no proof offered that the petitioner is not in default nor any proof by affidavit of irreparable damage.

HAVING FULLY ANSWERED THE Petition, the Assignee and Attorney prays this Honorable Court to dismiss the petition with costs.

Thomas S. Simpkins, Assignee
and Attorney

STATE OF MARYLAND, COUNTY OF SOMERSET, SS:

I hereby certify that on this 24th day of August 1982, before me, the subscriber, a notary public in and for the state and county aforesaid, personally appeared Thomas S. Simpkins, and he made oath in due form of law that the matters and facts as set forth in the aforegoing Answer to Show Cause Order are true and correct as therein set forth to the best of his information

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. SOMERSET AVE.
P.O. BOX 207
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

knowledged and belief.

As Witness my hand and Notarial Seal.

JEAN TAYLOR NOTARY PUBLIC SOMERSET COUNTY, MD.

Jean Taylor
Notary Public

I hereby certify that on this 24th day of August 1982, I did forward a copy of the foregoing Answer to Show Cause Order to Dirk W. Widdowson, Esq., P.O. Box 41, Salisbury, Maryland 21801, be regular U.S. Mail, postage prepaid.

Thomas S. Simpkins

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. SOMERSET AVE.
P.O. BOX 207
PRINCESS ANNE, MD. 21853

TELEPHONE 651-1400

In the Matter of the Foreclosure of a Mortgage from Terry James Eberhart	:	NO. 11,335 CHANCERY
	:	IN THE CIRCUIT COURT FOR
	:	SOMERSET COUNTY, MARYLAND
Ex Parte	:	
	:	

: : : : : : :

ANSWER TO SHOW CAUSE ORDER

The answer of Thomas S. Simpkins, attorney and assignee in the above cause, respectfully represents:

(1) That a motion raising preliminary objection in this cause has been heretofore filed.

(2) That the mortgagor defaulted in the covenants expressed in the mortgage by:

(a) Failing to make payments as covenanted;

(b) Failing to pay taxes when due;

(c) Failing to keep the property insured for the protection of the mortgagees' interest.

(3) That the petition and show cause order do not comply with the Maryland Rules of Procedure in that there is no proof offered that the petitioner is not in default nor any proof by affidavit of irreparable damage.

HAVING FULLY ANSWERED THE Petition, the Assignee and Attorney prays this Honorable Court to dismiss the petition with costs.

Thomas S. Simpkins, Assignee
and Attorney

STATE OF MARYLAND, COUNTY OF SOMERSET, SS:

I hereby certify that on this 24th day of August 1982, before me, the subscriber, a notary public in and for the state and county aforesaid, personally appeared Thomas S. Simpkins, and he made oath in due form of law that the matters and facts as set forth in the aforegoing Answer to Show Cause Order are true and correct as therein set forth to the best of his information

OMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. SOMERSET AVE.
P.O. BOX 307
CESS ANNE, MD. 21853
TELEPHONE 651-1400

knowledged and belief.

As Witness my hand and Notarial Seal.

Jean Taylor
Notary Public

I hereby certify that on this 24th day of August 1982, I did forward a copy of the foregoing Answer to Show Cause Order to Dirk W. Widdowson, Esq., P.O. Box 41, Salisbury, Maryland 21801, be regular U.S. Mail, postage prepaid.

Thomas S. Simpkins

THOMAS S. SIMPKINS
ATTORNEY AT LAW
31 N. SOMERSET AVE.
P.O. BOX 307
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

BOOK 048 PAGE 534

is a question we need not consider, since it did not happen. We point out, however, that such an option appears in the agreements of 14 August 1962 and 5 September 1962, both of which are attached as exhibits to the commission agreement of 8 October 1962. How else can be explained the fact that the commission agreement makes no provision for payment in the event of the exercise of the $450,000 option than that the parties did not intend any such provision. Marsteller complains that Martin and Stidham amended the agreement without consulting him. However, he was not a party to the agreement and it was not shown that they did not have a perfect right to do so nor that they were in any sense actuated by fraud or bad faith. That Martin was plagued with a shortage of cash is not disputed and his agreement to reduce the option price from $450,000 to $369,000 in exchange for a waiver of interest on the note can hardly have been born of anything but necessity. Indeed, within a few months, his plight became painfully evident when he was obliged to default in the payment of the $180,000 note. Marsteller insists that Stidham, in effect, did exercise his option when he decided to take a deed from Martin for $345,000 rather than press the foreclosure to a conclusion. We see little merit in that argument. Stidham had no right to a conveyance for anything less than $369,000. Of course, he could have gone ahead with the foreclosure but, assuming a continuing interest in acquiring the property, he had no way of knowing what the outcome might be. Competitive bidding might have generated a price higher than he was willing to pay. Neither could Martin be certain of the end result. The property might not bring enough at a foreclosure sale to pay the debts and expenses. They hedged the uncertainties that lay ahead. Stidham bought at a reduced price. Martin got clear of the debts and wound up about $40,000 (instead of $145,000) in the clear. We find incredible the notion that Martin contrived a series of events which resulted in his receiving $105,000 less than the agreements were designed to produce merely to euchre Marsteller out of a commission. In our judgment the very least that Marsteller was obliged to establish was a conveyance from Martin to Stidham of the 8.2822, less Parcel A, for a consideration of $300,000, from which, of course, a presumption would seem to arise that the option had, in fact, been exercised. This he has not done and this, he agreed, would be the contingency upon which his right to payment would depend.

Judgment affirmed. Costs to be paid by the appellant.

KEY NUMBER SYSTEM

240A2 288

249 Md. 459

William FONTANA et ux.

v.

Richard L. WALKER et al.

No. 169.

Court of Appeals of Maryland.

April 4, 1968.

Proceeding on appeal from an order of the Circuit Court, Prince George's County, Ralph W. Powers, J., denying exception to trustees' report of sale following foreclosure on real property. The Court of Appeals, Finan, J., held that refusal to grant continuance, on court's own motion, at hearing on objection to trustees' report, on realizing that property owners were not represented by counsel was not abuse of discretion in view of fact that record sufficiently established default and exceptions did not set up any formal modification of deed of trust or any circumstances tending to establish waiver or estoppel.

Order of ratification affirmed.

1. Mortgages ⟹401(5)

Default for nonpayment of taxes occurs on date that they begin to bear interest. Code 1957, art. 81, § 48(a).

2. Mortgages ⟹399

Purpose of acceleration clause is solely to protect mortgagee or principal creditor in deed of trust, and if he has good reason to believe that breach of debtor's covenant to pay taxes is so serious as to impair his security, he has right to foreclose.

3. Continuance ⟹7

Granting or denial of continuance or postponement is within sound discretion of trial court.

4. Continuance ⟹36

Refusal to grant continuance on court's own motion, at hearing on objection to trustees' report of sale following foreclosure on real property, on realizing that property owners were not represented by counsel was not abuse of discretion in view of fact that record sufficiently established default and exceptions did not set up any formal modification of deed of trust or any circumstances tending to establish waiver or estoppel.

Virginia Fontana, in pro per.

No brief filed on behalf of appellees.

Before HAMMOND, C. J., and HORNEY, MARBURY, McWILLIAMS and FINAN, JJ.

FINAN, Judge.

This is an appeal from an order of the lower court denying the appellants' exception to the trustees' report of sale following foreclosure of appellants' property.

The deed of trust securing a $15,000 20-year note was executed on February 19, 1957, between the appellants and trustees for the Second National Bank of Washington, D. C. which later became the First National Bank. Monthly payments of $150 were later reduced to $115 on October 19, 1961 by a formal extension agreement. Included in the deed of trust were the usual acceleration and power of sale clauses.

The record reveals a history of arrearages in the payment of the mortgage, an element which undoubtedly contributed to the bank's increased reluctance to keep the Fontana note on its books. To this was added the liability for 1965–1966 and 1966–1967 real estate taxes, totalling $1,011, which the bank was forced to advance on December 7, 1966.

As of December 19, 1966, the Fontanas were three months back on their payments, in addition to the tax liability which was added to the principal amount then due. The October and November payments had been drawn on a closed account, and the checks returned to the Fontanas. This had been followed by a letter from Mr. Kahn of the bank's real estate department to the Fontanas, advising them of the arrearages and threatening foreclosure unless the entire debt was paid by November 28. On December 22, Mrs. Fontana called Mr. Kahn on the telephone and informed him that Mr. Fontana was seriously ill and about to enter the hospital for surgery. In light of this unfortunate development, Mr. Kahn, for the bank, agreed to accept by December 29, $230 (two monthly payments) in lieu of the three payments then due. Furthermore, monthly payments would be increased starting January by $100, to cover partial return on the tax debt, and $47, as an advance into escrow for future taxes. Mr. Kahn testified that Mrs. Fontana agreed to the modification. A conversation held at this juncture concluded with Mr. Kahn reminding Mrs. Fontana that foreclosure papers had been drawn but would remain in his office so long as payments pursuant to the modified agreement were regular. On December 30, one day after the agreed upon date for payment, Mrs. Fontana sent in a check for $230.

The next payment was due on January 29. On the 16th, Mrs. Fontana again called Mr. Kahn and explained that because of the seriousness of her husband's incapacitation, it having become necessary to amputate a leg, medical and rehabilitation expenses were very high and the January payment would be late. Although Mrs. Fontana alleged at the hearing that Mr. Kahn assured her that arrangements could be worked out, the bank denied any such agreement. The bank sent a letter on the 27th of January stating that the mortgage was again in arrears, and that if arrangements were not made by February 3, the bank would proceed with foreclosure. This letter made it clear that the Fontanas would be expected to pay overdue installments, the amount advanced for taxes as well as any late fees before the bank would consider reinstating the loan, and that the bank was unwilling to accept anything less. Mrs. Fontana stated that she did not receive this letter, however she also testified that during this period of time she did not regularly open her mail. On February 2, Mrs. Fontana personally appeared at the bank and tendered the January payment, which was refused. Shortly thereafter foreclosure was initiated.

One further thread must be woven into this fabric. It appears that some time in July of 1965, the Fontanas became entitled to receive $5,600 compensation from the State Roads Commission resulting from a marginal taking of the property. Mrs. Fontana argues that the Bank agreed to treat that fund as additional "equity" for the deed of trust. Nevertheless, the money was either not accepted by, or never turned over to the bank, and the record otherwise remains disturbingly silent with respect to this transaction. There is a suggestion to be found in the testimony of Mr. Kahn, a representative of the bank, that the proceeds from the State Roads Commission taking were being held up because of tax litigation, and the record does reveal that the federal government on January 1, and again on February 16, 1967, filed tax liens tana totalling $944.94. In oral argument before this Court Mrs. Fontana stated that the State Roads Commission still held the proceeds from the marginal taking.

Unquestionably, on February 13, 1967, the date foreclosure was initiated, the deed of trust was in arrears on several counts. By the terms of the deed, the trustees were given authority to accelerate the payments and sell the property (1) in the event default occurred in payment in any installment, as and when the same became due; (2) upon default by the debtors in paying prior liens including taxes; or (3) where the secured party elected to advance the funds necessary to liquidate a prior lien and the debtors then failed to immediately indemnify the secured party. As of February 13, 1967 default had occurred on all three of the aforegoing provisions.

[1] The record reveals beyond dispute that there was default in the monthly payments and the modifications agreed upon by the parties. Furthermore, pursuant to Code (1965 Repl.Vol.) Art. 81, Sec. 48(a), interest on the county and state real estate taxes owed for 1965–1966 commenced October 1, 1965 and interest for the taxes due for the year 1966–1967 commenced October 1, 1966. Applying the rule set forth by Judge McWilliams speaking for the Court in Nylen v. Geeraert, 246 Md. 4, 12, 226 A.2d 878, 882 (1967), default for nonpayment of taxes occurs "the day they begin to bear interest." It is further clear that the payment of the balance due and owing on the mortgage was accelerated by the election of the secured party to advance the funds necessary to liquidate the tax debt which was not immediately repaid by the debtors.

[2] Needless to say, the purpose of an acceleration clause is solely to protect the mortgagee or principal creditor in a deed of trust. If he has good reason to believe that a breach of the debtor's covenant to pay taxes is so serious as to impair his se-

v. Kolker, 189 Md. 647, 651, 57 A.2d 297, 299 (1948).

The unfortunate position in which the appellants find themselves is partially attributable to their inability or unwillingness to retain counsel at the hearing in the court below on the exceptions to the trustees' report of sale. Mrs. Fontana apparently secured the services of an attorney some short time prior to the hearing, but he none too graciously withdrew the day before the hearing by assuring Mrs. Fontana that she, knowing the facts as she did, would be more effective on her own. As a result, Mrs. Fontana defended her position pro se and appeared before this Court without counsel.

It is possible that a better case for setting aside the sale could have been constructed had an attorney presented the appellants' case. Perhaps the issues of estoppel or waiver of default or the significance to the case, if any, of the missing State Roads Commission money might have been established by an attorney making a thorough investigation and proper presentation. For this reason, the appellants raise as their only issue on appeal the alleged error of the lower court in failing to grant a continuance until legal counsel was obtained.

[3] The granting or denial of a continuance or postponement is within the sound discretion of the trial court. King v. Rockville, 249 Md. 243, 238 A.2d 898 (1968) [No. 315, September Term, 1967, decided March 7, 1968]; Thanos v. Mitchell, 220 Md. 389, 152 A.2d 833 (1959); Plank v. Summers, 205 Md. 598, 605, 109 A.2d 914 (1954). This rule applies even where the ground for the requested continuance is the withdrawal of movant's counsel from the proceedings. See Clarke Baridon, Inc. v. Union Asbestos & Rubber Co., 218 Md. 480, 147 A.2d 221 (1958); Annot., 48 A.L.R.2d 1155 (1956). Rule 527 a 1 permits the court to grant a continuance on its own motion, and in the absence of authority to the contrary, we assume that the discretion- no different than that exercised pursuant to a motion by a party.

In fairness to the lower court it should be noted that at the opening of the hearing on the objections to the trustees' report of sale no one was present in court representing the Fontanas. The court denied the exceptions to the sale and ratified it. However, just as the proceedings concluded, Mrs. Fontana appeared in court and explained that she had gone to the wrong court room, whereupon Judge Powers stated that he would consider a motion to strike the order of ratification and dismissal of the exceptions so that Mrs. Fontana would have an opportunity to be heard. Thereafter Mrs. Fontana took the witness stand and gave her version of the transactions with the bank. It was only after hearing Mrs. Fontana and two rebuttal witnesses, whom Mrs. Fontana cross-examined, that the court dismissed the exception to the trustees' report of sale and granted ratification; some 44 pages of testimony were transcribed.

[4] We are of the opinion that the court did not abuse its discretion by refusing to grant a continuance on its own motion upon realizing that the appellants were not represented by counsel. The record before the lower court sufficiently established a default. Furthermore, the exceptions did not set up any formal modification of the deed of trust or any circumstances tending to establish a waiver or estoppel. The hearing itself produced further evidence in the form of letters from the bank to the Fontanas, sufficient to inform the Fontanas of default and impending foreclosure. Under these circumstances, the court did not act with impropriety in failing to postpone the case until the appellants were represented by counsel.

In Plank v. Summers, supra, a continuance was requested to allow for the proper introduction of evidence showing the value of medical and hospital services in a tort action. Judge Henderson, speaking for the Court, held that counsel requesting the con-

BOOK 048 PAGE 535

PLEASE REMIT TO:

CARLOS BOZMAN, TREASURER

PRINCESS ANNE, MARYLAND 21853

SOMERSET COUNTY

TAX BILL FOR 1981 - 82

FILE COPY

ACCT. NO. 06 144125
MAP REF. R-57-15-463
INPS 1.5 ACRES
N/ROUTE 667
MARION

DEED REF.
ITP 311/630

EBERHART, TERRY J
ROUTE 1, BOX 200
WESTOVER, MD 21871

AGE
NO.
0712

PAID
JUL 22 1982
CARLOS BOZMAN
TREASURER

APPLY BY SEPTEMBER 1, 1981
FOR HOMEOWNER'S TAX CREDIT
ACCORDING TO INCOME.

TOTAL ASSESSMENT	COUNTY RATE	STATE RATE	TOTAL AMOUNT DUE
	1.60	.21	
10,450	150.53	21.95	$172.48
	37.57 CR.		

USE THIS SCHEDULE AFTER SEPT. 30, 1981			
IF PAID IN	COUNTY INTEREST	STATE INTEREST	PLEASE PAY THIS AMOUNT
OCT	1.00	.15	$173.63
NOV	2.01	.29	$174.78
DEC	3.01	.44	$175.93
JAN	4.01	.59	$177.08
FEB	5.02	.73	$178.23
MAR	6.02	.88	$179.38
APR	7.03	1.02	$180.53
MAY	8.03	1.17	$181.68
JUN	9.03	1.32	$182.83

183.98-81
200.41-82
384.39

DATE		
7-82	COUNTY INTEREST	10.04
	STATE INTEREST	1.46
	TOTAL	183.98

DETAILS	DATE				DATE		
TAXES	FIRST PAYMENT	COUNTY	STATE	TOTAL	SECO PAYMENT	COUNTY	TOTAL
COUNTY INTEREST							
STATE INTEREST							
TOTAL							

PLEASE REMIT TO:

CARLOS BOZMAN, TREASURER

PRINCESS ANNE, MARYLAND 21853

SOMERSET COUNTY

TAX BILL FOR 1982 - 83

FILE COPY

ACCT. NO. 06 144125
MAP REF. R - 57-15-463
INPS 1.5 ACRES
N/ROUTE 667
MARION

DEED REF.
ITP 311/630

EBERHART, TERRY J
ROUTE 1, BOX 200
WESTOVER, MD 21871

PAID
JUL 22 1982
CARLOS BOZMAN
TREASURER

APPLY BY SEPTEMBER 1, 1982
FOR HOMEOWNER'S TAX CREDIT
ACCORDING TO INCOME.

TOTAL ASSESSMENT	COUNTY RATE	STATE RATE	TOTAL AMOUNT DUE
	1.60	.21	
13,000	173.11	27.30	$200.41
	60.89 CR.		BACK TAXES DUE

USE THIS SCHEDULE AFTER SEPT. 30, 1982			
IF PAID IN	COUNTY INTEREST	STATE INTEREST	PLEASE PAY THIS AMOUNT
OCT	1.15	.18	$201.74
NOV	2.31	.36	$203.08
DEC	3.46	.55	$204.42
JAN	4.62	.73	$205.76
FEB	5.77	.91	$207.09
MAR	6.92	1.09	$208.42
APR	8.08	1.27	$209.76
MAY	9.23	1.46	$211.10
JUN	10.39	1.64	$212.44

PAGE NO. 0717

DATE		
	COUNTY INTEREST	
	STATE INTEREST	
	TOTAL	

DETAILS	DATE				DATE		
TAXES	FIRST PAYMENT	COUNTY	STATE	TOTAL	SECO PAYMENT	COUNTY	TOTAL
COUNTY INTEREST							
STATE INTEREST							
TOTAL							

BOOK 048 PAGE 536

No. 11,335 Chancery Case

Maryland, Somerset County, Sct:

State of Maryland

To the Sheriff of Somerset County, Greeting:

You are hereby commanded to summon William T. Chaffey, III, Rte. #1, Box 312-A, Marion, Maryland 21838 and Diane J. Chaffey, Rte. #1, Box 312-A, Marion, Maryland 21838

that all excuses and delays being laid aside .....they..... be and appear before the Circuit Court for Somerset County, at Princess Anne, Maryland on .....Tuesday, August 24, 1982 at 1:30 P.M. and .....they..... then and there bring with .....them..... and produce at the time and place aforesaid

(SEE THE ATTACHED)

and then and there to testify, and show all and singular those things which .....they..... knows, or the said records do import of and concerning a certain matter of controversy in the said Court depending between

.....

.....Terry James Eberhart..... Plaintiff and

.....William T. Chaffey, III, etux..... Defendant on

the part of the ..... whereof ..... is not to fail, and fail not at your peril, and have you then and there this writ.

Witness the Honorable ~~William H. Adkins~~ Richard M. Pollitt, Chief Judge of the First Judicial Circuit of Maryland the ..... 16th day of ..... February, 1982 Nineteen Hundred and .....

Issued .....August 20, 1982.....

Attorney for Plaintiff:

.....Eaton and Widdowson.....
118 East Main Street
P.O. Bx 41
Address: Salisbury, Maryland 21801

.....

S. Theodore Phoebus
Clerk of the Circuit Court for Somerset County

BOOK 048 PAGE 537

BOOK 048 PAGE 537

BOOK 048 PAGE 538

AFFIDAVIT

STATE OF MARYLAND, WICOMICO COUNTY, to wit:

I, GLORIA SHORES, hereby make oath that I am a competent person over 21 years of age, and am not a party to this action; that on 20th day of August, 1982, at 1:40 p.m., at Rte #1, Box 312-A, Marion, Md. 21838, I made personal service on William T. Chaffey, III by delivering and leaving a copy of the Summons Duces Tecum to testify in his hands and telling him that the summons directed him to appear at the Courthouse in Princess Anne on August 24, 1982 at 1:30 p.m.

Gloria Shores

Gloria Shores

STATE OF MARYLAND, WICOMICO COUNTY, to wit:

Before me, the undersigned, a Notary Public in and for the State and County aforesaid, personally appeared GLORIA SHORES, this 20th day of August, 1982, and made oath in due form of law that the matters and facts hereinabove set forth are true.

JOYCE LEE LOWE NOTARY PUBLIC WICOMICO COUNTY, MD.

Joyce Lee Lowe

Notary Public

My Commission Expires: 7/1/86.

LAW OFFICES
EATON & WIDDOWSON, P.A.
118 East Main Street
P.O. Box 41
Salisbury, MD. 21801
(301) 749-1530

AFFIDAVIT

STATE OF MARYLAND, WICOMICO COUNTY, to wit:

I, GLORIA SHORES, hereby make oath that I am a competent person over 21 years of age, and am not a party to this action; that on 20 day of August, 1982, at 2:20 PM At the Meatland Parking Lot in Crisfield Md. I made personal service on Diane Chaffey by delivering and leaving a copy of the Summons Duces Tecum to testify in her hands and telling her that the summons directed her to appear at the Courthouse in Princess Anne on August 24, 1982 at 1:30 P.M.

Gloria Shores

Gloria Shores

STATE OF MARYLAND, WICOMICO COUNTY, to wit:

Before me, the undersigned, a Notary Public in and for the State and County aforesaid, personally appeared GLORIA SHORES, this 20th day of August, 1982, and made oath in due form of law that the matters and facts hereinabove set forth are true.

JOYCE LEE LOWE NOTARY PUBLIC WICOMICO COUNTY, MD.

Joyce Lee Lowe

Notary Public

My Commission Expires: 7/1/86

LAW OFFICES
EATON & WIDDOWSON, P.A.
118 East Main Street
P.O. Box 41
Salisbury, MD. 21801
(301) 749-1530

In the Matter of the Foreclosure of a Mortgage from Terry James Eberhart	:	NO. 11,335 CHANCERY
	:	IN THE CIRCUIT COURT
	:	FOR SOMERSET COUNTY,
Ex Parte	:	STATE OF MARYLAND.

* * *

BOOK 048 PAGE 540

MEMORANDUM OF LAW

1. Statement of Facts

The Plaintiff in the above captioned matter is the mortgagor under a purchase money mortgage, dated December 18, 1978, securing the principal amount of Thirty-Five Thousand Dollars ($35,000.00) on the property described as 1.5 acres more or less, binding upon Turpin Road in Marion, Maryland.

The Defendant is the Plaintiff's uncle, a well-known contractor of chicken houses, and is the mortgagor under said mortgage.

On or about December 18, 1978 the Defendant agreed to sell to the Plaintiff the said property for the sum of Thirty-Five Thousand Dollars ($35,000.00), and also agreed to finance said purchase price in total at ten percent (10%) interest for a period of fifteen (15) years. Said agreement was consumated in writing by the parties by the aforementioned mortgage.

Prior to this mortgage, the Plaintiff and Defendant had shared numerous relationships as employer, employee; contractor, sub-contractor; and creditor, debtor. Said relationships play an important role in the conflict that now exists between said parties and, therefore, merits further elaboration.

In 1972 the Plaintiff, Terry Eberhart, began working as a carpenter for Kingston Construction Company, which is owned and operated by the Defendant, William Chaffey. By 1978, Mr. Eberhart had been promoted to foreman and given a bonus situation of twenty-five (25%) percent of the net profit of said business. Then on or

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about December 18, 1978, Mr. Eberhart approached Mr. Chaffey in regard to renting one of Mr. Chaffey's rental properties, in that Mr. Eberhart was anxious to move from his parents' home to start a life of his own. It was at this time that the aforementioned property was offered to Mr. Eberhart at a price of Thirty-Five Thousand Dollars ($35,000.00), with the agreement that the payments for same would be taken out of Mr. Eberhart's bonus and, thus, no cash would have to change hands. Thinking this to be a good deal and against his parents' wishes, Mr. Eberhart naively accepted said deal and entered in the mortgage aforementioned.

During the summer of the same year, 1978, Mr. Chaffey had purchased a 1978 pick-up truck for Mr. Eberhart on the same deal that his bonus payments would be credited against the purchase price of said truck until same was paid. In December, prior to said mortgage, Mr. Chaffey informed Mr. Eberhart that his bonuses had paid the truck off in full. It is noteworthy that at no time had Mr. Eberhart been shown the actual net profits of said company to determine what his bonuses should have been and never did he ever actually receive his bonus in cash; it was always applied to an account or his mortgage payments.

This arrangement for paying said mortgage went smoothly and as agreed until February of 1980 at which time Mr. Eberhart left the employ of Mr. Chaffey to become self-employed in the same profession. No hard feelings seemed to be present between the parties in that Mr. Chaffey sub-contracted out work to Mr. Eberhart on a regular basis for the next year to the sum of an estimated Fifty-Two Thousand Dollars ($52,000.00).

When Mr. Eberhart started out on his own Mr. Chaffey sold him, on account with no interest, one step van and tools of the trade. This account was to be paid off by the performance of work done by Mr. Eberhart as a sub-contractor for Mr. Chaffey whenever Mr. Eberhart was so able to afford same, and this in fact occurred on

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numerous occasions throughout the year.

On July 15, 1980 the mortgage payment then due was paid in the same manner; Mr. Chaffey credited said payment against the amount of money he owed to Mr. Eberhart for work previously done.

This relationship, all oral in nature, apparently endured until January 15, 1982, when Mr. Chaffey informed Mr. Eberhart both orally and on paper (said paper being in Mr. Chaffey's control and possession) that his January 15, 1982 payment had been made by crediting it against the amount of money due Mr. Eberhart for his work done on the Andrew Robinson chicken house.

It was not until May of 1982 that Mr. Eberhart was notified by his father that Mr. Chaffey was alleging that the January payment was not made and that foreclosure was eminent.

On or about July 14, 1982, Mr. Eberhart, as he had in the past, made a timely payment on his mortgage which was accepted by Mr. Chaffey. Then on July 19, 1982 said mortgage was filed for foreclosure.

II. Issues

Can a mortgagee's right to foreclose a mortgage on the failure of the mortgagor to pay the taxes when due on the mortgaged property be waived by the mortgagee?

III. Short Answer

Yes. A right to foreclose a mortgage on the failure of the mortgagor to pay the taxes when due on the mortgaged property may be waived by the mortgagee by the mortgagee's continued recognition of the agreement as operative. Kleiman v. Kolker, 189 Md. 647, 57 A 2d 297, (1948).

IV. Argument

The issue at hand can be expounded with no greater succinctness than it was stated by the Honorable Justice Grason in Kleiman v. Kolker, 189 Md. 647, 651, 57 A 2d 297, (1948);

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"It is common knowledge that a mortgagor at times gets behind in the payment of his taxes, and it is waived by the mortgagee, and subsequently, paid."

Such is the case at hand.

For purposes of this argument, we will assume arguendo that the Plaintiff's failure to pay the real estate taxes on the subject property for the tax year 1980-81 until July 22, 1982 constituted a default under paragraph 3 of said mortgage.

There are few principles of contract law better established, or more uniformly acknowledged, than that a party to an executory bilateral contract, who keeps the same in existence after a known breach by the other party and accepts further performance from the party who has committed the breach, waives the breach, in the absence of an assertion of his intention to retain the rights accruing to him as a result of said breach, assented to by the other party; and if the injured party thereafter does not make good his promises of performance, he is responsible for such failure. 3 Williston, Contracts (Rev. ed.), §688, states it thus:

"The principal is general that whenever a contract not already fully performed on either side is continued in spite of a known excuse, the defense thereupon is lost and the injured party is himself liable if he subsequently fails to perform, unless the right to retain the excuse is not only asserted but assented to."

In Restatement, Contracts, §309, we find:

"When the duty of a party to a bilateral contract has been discharged by the failure of a condition to exist or to occur or by the actual or threatened nonperformance of a return promise, he is again subjected to the duty if he renders any further performance, or assents to the rendering by the other party of any further performance of a condition or promise beyond what is due as the exchange for performance previously rendered, provided

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that he renders or assents to such further performance.

(a) with knowledge of the facts establishing his discharge, or * * *."

See particularly Comment a, thereunder. Professor Corbin states the same principal in 3 A Corbin, Contracts, §755.

The above authorities have been specifically cited, with approval, by this Court in Nat. School Studies v. Mealey, 211 Md. 116, 126 A. 2d 588, Nichols v. Nicholas, 217 Md. 79, 141 A. 2d 746, and Gould v. Transamerican Associates, 224 Md. 285, 167 A 2d 905; and they correctly expound the law of this State. In the Mealey case, the rule was applied to a salesman of school children's photographs, who had a known excuse for nonperformance of his contract of employment, but continued to perform for a while and then breached a term of the contract. In Nichols v. Nichols, we held that the owners of certain real property had waived the time provision of an option agreement by continuing to accept payments on account of the purchase price after the expiration date of the time provision. For recent decisions of this Court dealing with the question of waiver, see Eastover Stores, Inc. v. Minnix, 219 Md. 658, 150 A. 2d 884 and Hill v. Benevicz, 224 Md. 79, 167 A 2d 104. Compare 1 American Law of Property, §3.95.

In Benson v. Borden, 174 Md. 202, 198 A. 419, a leading case upon the doctrines of waiver and estoppel, an officer of a corporation, then in receivership, had filed certain claims against the corporation for his unpaid, past due salary and royalties from a coal mine that he alleged were due him. As such officer, he had prepared income tax returns and financial statements of the corporation (the latter of which had been widely circulated), none of which disclosed his claims for the salary or the royalties. No additional credit was obtained by the corporation as a result of the tax returns or the financial statements, but the Court found that they did obtain for the corporation an indulgence from the

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creditors in not invoking the receivership sooner, during which period of indulgence the officer reaped certain benefits from the corporation.

The Court disallowed the claims, holding that the doctrine of equitable estoppel was applicable, and then went on to say that this "conclusion is fortified by an inquiry as to whether the applicant is not precluded from asserting (his) claims upon the principal of waiver." The decision then cited 40 Cyc. 255, to point out the general distinctions between "waiver" and "estoppel," and stated further:

> "In the case before us, if the situation, condition, and conduct of the parties were not sufficient to bar the allowance of the alleged claims upon the ground that the appellant was estopped to assert the same, it is our further conclusion that by his acts and conduct, which formed part of the basis for declaring the existence of estoppel, he had taken such a position as, without regard to any influence upon or change of position on the part of others, would have justified the chancellor in decreeing that the (officer) had voluntarily waived the right to collect the coal and salary claims; such waiver having, in effect, modified to that extent any contract he may previously have had with the (corporation) with reference to the subjects of either of the claims. The conclusion that the appellant cannot sustain the claims by reason of his waiver thereof is an illustration of the close interrelation of waiver and estoppel; for, in substance, it is a finding that he is estopped to assert such claims because of having waived them; in which connection the language of Crosswell v. Connecticut Indemnities Assn., 51 S. C. 469, 478, 29 S. E. 236, 239, may be appropriately quoted as follows: '(Waiver is) the relinquishing,

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giving up, or surrendering some known legal right, (and) may be found to exist if one "acts in such a way * * * that his conduct implies that he has waived his right," and * * * "amount(s) to a bar or obstruction when once established," and * * * "might be said to be an estoppel. " ' "

The later case of Wright v. Wagner, 182 Md. 483, 34 A. 2d 441, was, likewise, decided on the doctrines of equitable estoppel and implied waiver. The decision repeated much that had been said in the Benson case, pointed out that whether or not the doctrine of equitable estoppel applies depends upon the facts of each particular case, stated the doctrine operates to prevent a party from asserting his rights under a general technical rule of law, when he has so conducted himself that it would be contrary to equity and good conscience for him to do so, and further stated that it is well settled that the same conduct may constitute both an implied waiver and an estoppel, and there may be an estoppel by waiver.

In Gould v. Transamerican Associates, supra, the case most directly on point, Maryland's highest court held that the mortgagee's words, actions and conduct, constituted waiver of provision in mortgage requiring mortgagor to pay taxes "when due" and estopped him from accelerating or foreclosing mortgage for failure to pay taxes when mortgagee contended they were due. (A copy of said case is attached hereto and incorporated by reference herein.)

Copy attached

We now turn to an application of the above principles to the case at hand. The Defendant, William Chaffey is alleging that the taxes for 1980-81 "were due" on October 1, 1981. Yet as stated above, Mr. Chaffey had numerous business as well as personal contacts with Mr. Eberhart between July 1, 1981, the date tax bills for said year were issued, and October 1, 1981, when they were due, in which he made no mention of the taxes being unpaid. More specifically, on January 14, 1982, in a meeting at Mr. Chaffey's

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home, in which Mr. Eberhart made his January mortgage payment, another point of contention in this case, Mr. Chaffey remained silent as to the delinquent tax bill and accepted the January mortgage payment. Then Mr. Chaffey in the end of April or beginning of May contacted Mr. Eberhart's father, James Eberhart, in regard to Mr. Eberhart's failure to pay his January mortgage payment and the eminent result of foreclosure, again remaining silent as to the tax bill still not paid. Again, on or about July 14, 1982 Mr. Chaffey accepted the July 15, 1982 mortgage payment without any mention or notice of the delinquent tax bill. The position Mr. Chaffey maintains now seems to be that immediately after October 1, 1981, Mr. Eberhart was in default and (although he made no effort to do so at the time) he as mortgagee had the right to accelerate the total sum due, so as to make it payable immediately. If this were his position at the time of his accepting the January and , subsequent, July mortgage payments, fair play and honest dealing called for him to make it known.

Plaintiff contends under the circumstances, as they have been briefly enumerated above, the words, actions, and conduct or absence thereof, of Mr. Chaffey amply justified and warranted an inference by Mr. Eberhart that Mr. Chaffey had relinquished his right (still assuming that the failure to pay taxes by October 1, 1982 was a default) to exercise his option to accelerate the principal sum due under the mortgage, or to foreclose, for the non-payment of the 1980-81 taxes "when due." This, of course, means that his words, actions and conduct constituted an implied waiver. See Gould, supra.

And Plaintiff further contends that these same words, actions, and conduct or lack thereof by Mr. Chaffey operated as an estoppel, especially in view of Mr. Eberhart's continued performance of the mortgage to the sum of Four Thousand Five Hundred Thirteen and 44/100 Dollars ($4,513.44)(one year's payments of principal and interest); and in view of his said words, actions, and conduct, or

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absence thereof, that it "would be contrary to equity and good conscience," Wagner, supra., for him to be allowed to exercise his option to accelerate, or to foreclose, for the failure to pay the 1980-81 taxes until July 22, 1982.

Assuming arguendo that Mr. Chaffey did not have actual knowledge of the non-payment of the said taxes in question until July 19, 1982, the date of said foreclosure, that fact is imputable to him. In the case of Monahan v. Mutual Ins. Co., 103 Md. 145, 159, 63 A. 211, (a case dealing with both waiver and estoppel), the Court, speaking through Chief Judge McSherry, quoted from a Supreme Court case as follows: "Granting that the continued receipt of premiums or assessments after a forfeiture has occurred will only be construed as a waiver when the facts constituting a forfeiture are known to the company (citations), that is true only of such facts as are peculiarly within the knowledge of the assured. If the company ought to have known the facts, or with proper attention to its own business, would have been apprised of them, it has no right to set up its ignorance as an excuse." And this statement seems to be in accord with the weight of authority elsewhere. 31 C.J.S., Estoppel, Section 70 (a), states: "It is sometimes said that actual knowledge of the facts is necessary; but generally it is not considered indispensable that the knowledge should be actual if the circumstances are such that a knowledge of the truth is necessarily imputed to the party sought to be estopped * * * ." And practically the same thing is said of waiver under Section 70, under subsection (b).

Most certainly, a mortgagee with proper attention to his business, and in particular impairment of his collateral, would have been apprised of the non-payment of taxes "when due," especially as in the case at hand when he is considering same a default.

Similarly, it is well established that a mortgagee can only accelerate the total indebtedness and to foreclose upon a breach

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of the mortgagor's covenant to pay taxes if "he has good reason to believe that a breach of the debtor's covenant to pay taxes is so serious as to impair his security..." Kleiman, supra. Fontana v. Walker 249 Md. 459, 462 (1968). There is no testimony before this Court as to Mr. Chaffey's belief that the failure to pay the 1980-81 taxes until July 22, 1982 is so serious as to impair his security substantiating his acceleration and foreclosure. Mr. Chaffey's position is specially hard to comprehend in light of the fact that Mr. Eberhart paid both his 1978-79 and 1979-80 taxes on October 28, 1980, which according to Fontana, supra. were overdue, and Mr. Chaffey apparently at that time didn't feel the breach of said covenant to be of so serious a nature as to impair his security.

Therefore, based upon the foregoing, the Plaintiff respectfully requests that the show cause hearing proceed on the merits, so that this Honorable Court can make a decision as to whether or not to grant an injunction as requested by the Plaintiff.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on this 25th day of August, 1982, I mailed a copy of the foregoing Memorandum of Law by regular U.S. Mail, postage prepaid, to Thomas S. Simpkins, Esquire, 51 North Main Street, Princess Anne, Maryland 21853.

Dirk W. Widdowson

Dirk W. Widdowson

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IN THE MATTER OF THE FORECLOSURE OF A MORTGAGE FROM TERRY JAMES EBERHART	:	NO. 11,335 CHANCERY IN THE CIRCUIT COURT FOR SOMERSET COUNTY STATE OF MARYLAND
EX PARTE	:	

::::::::::::::::::

OPINION AND ORDER

This Petition for Injunction to Stay Foreclosure was heard by the Court on August 24, 1982. For the reasons stated on the record at that time, relying on the case of Nylen v. Geeraert, 246 Md. 4 (1967), we felt obliged to deny the relief. Counsel for Petitioner requested that the matter be held sub curia until 3:00 p.m. on August 25, 1982, to give him an opportunity to file a memorandum of law on the issues of waiver and estoppel. That memorandum has now been filed and has been read and considered by the Court. While the cases cited therein contain language which at first glance appears helpful to Petitioner, we remain convinced that Nylen v. Geeraert, supra, must control.

Without discussing fully all the cases cited, we will mention a few. Gould v. Transamerican, 224 Md. 285 (1961), held that a modification agreement entered into on April 27, 1959, with assurances by the mortgagees that there were no defaults at that time, when in fact the default, if it existed at all did exist at that time, justified a finding that the mortgagees had relinquished their right to exercise their option to accelerate the principal or to foreclose for the non-payment of 1959 taxes at any time before they would start to draw interest. Kleinman v. Kolker, 189 Md. 647 (1948) simply holds that acceleration clauses in mortgages are for the benefit of the mortgagee and not the mortgagor, and a mortgagor cannot take advantage of a waiver by the mortgagee in computing the running of the statute of limitations. Wright v. Wagner, 182 Md.483 (1943) contains a good discussion of waiver and equitable estoppel, but is really more analagous to the principles relating to release of a surety by extensions granted a primary debtor without the consent of the surety.

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We still can find no material difference between the facts of this case and those of Nylen v. Geeraert, supra. The taxes were in default when the mortgage was filed for foreclosure and that default triggered the acceleration clause. We find no evidence of a waiver of that default because the mortgagee chose not to declare it until taxes for an additional year had become due on July 1st. We also find no estoppel by the acceptance of a payment on the principal and interest on July 15th, since that amount must be credited against the indebtedness and the mortgagee will receive the benefit of it in the final calculation of the amount due.

In the words of Judge McWilliams in Nylen, despite our sympathy for the plight of the mortgagor, we cannot disregard the rights of the mortgagee, however strict and uncompromising his attitude may be.

It is, therefore, this 26th day of August, 1982, by the Circuit Court for Somerset County, Maryland, in Equity, ORDERED, that the Petition for Injunction be, and it is hereby DENIED.

RICHARD M. POLLITT
JUDGE

****

cc: Dirk W. Widdowson, Esquire
Thomas S. Simpkins, Esquire

In the Matter of the Foreclosure of a Mortgage from Terry James Eberhart	:	NO. 11,335 CHANCERY
	:	IN THE CIRCUIT COURT FOR
Ex Parte	:	SOMERSET COUNTY, MARYLAND

: : : : : : : :

AFFIDAVIT

STATE OF MARYLAND, COUNTY OF SOMERSET, SS:

I do hereby certify that on this 27th day of August 1982, before me, the subscriber, a notary public in and for the state and county aforesaid, personally appeared Thomas S. Simpkins and he did depose and say:

That on August 20th, 1982, he did mail a copy of the advertizement of sale in the above matter to: Terry James Eberhart, Rt. 1, Box 382, Marion Station, Maryland, 21838, by certified mail as required by Rule W74(b); and that on August 20, 1982, he did mail a copy of the advertizement of said sale to Dirk W. Widdowson, Esq., P.O. Box 41, Salisbury, Maryland, 21801, by regular U.S. Mail, postage prepaid.

Jean Taylor
Notary Public

JEAN TAYLOR NOTARY PUBLIC SOM. CO.

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. SOMERSET AVE.
P.O. BOX 207
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

IN THE MATTER OF THE FORECLOSURE OF A MORTGAGE FROM TERRY JAMES EBERHART	:	NO. 11,335 CHANCERY
	:	IN THE CIRCUIT COURT
	:	FOR SOMERSET COUNTY,
EX PARTE	:	STATE OF MARYLAND
	:	

* * *

SUGGESTION OF BANKRUPTCY

Terry James Eberhart, debtor, by his attorneys, Eaton and Widdowson, P.A., and Dirk W. Widdowson, says:

1. On August 30, 1982, he filed a voluntary petition for relief under Chapter 7 of the United States Bankruptcy Code in the United States Bankruptcy Court for the District of Maryland, which case is entitled "In Re Terry James Eberhart," and being Case No. 82-2-1539.

2. Pursuant to 11 U.S.C., Section 362, the filing of such petition operates as an automatic stay of the commencement or the continuation of any court or other proceeding against the debtor or the enforcement of any judgment against him or against any property owned by him.

WHEREFORE, the debtor suggests that this Court stay all further proceedings and actions of the Defendant against the debtor in accordance with Title II, United States Code.

EATON AND WIDDOWSON, P.A.

Dirk W. Widdowson

Dirk W. Widdowson
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P. O. Box 41
Salisbury, Maryland 21801
Telephone: (301) 749-1530

Attorneys for Debtor

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118 East Main Street
P.O. Box 41
Salisbury, MD. 21801
(301) 749-1530

I DO SOLEMNLY DECLARE AND AFFIRM under the penalties of perjury that the contents of the foregoing document are true and correct.

Dirk W. Widdowson
Dirk W. Widdowson
Attorney for Debtor

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of August, 1982, I mailed a copy of the foregoing Suggestion of Bankruptcy to Thomas S. Simpkins, Esquire, 51 North Main Street, Princess Anne, Maryland 21853.

Dirk W. Widdowson
Dirk W. Widdowson

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IN THE MATTER OF THE FORECLOSURE OF A MORTGAGE FROM TERRY JAMES EBERHART	:	NO. 11,335 CHANCERY
	:	IN THE CIRCUIT COURT
	:	FOR SOMERSET COUNTY,
EX PARTE	:	STATE OF MARYLAND
	:	

* * *

ORDER

Upon consideration of the Suggestion of Bankruptcy filed in this matter in the Circuit Court for Somerset County, State of Maryland, it is hereby ORDERED that pursuant to 11 U.S.C. Section 362, that the commencement or the continuation of any court or other proceeding against the debtor or the enforcement of any judgment against him or against any property owned by him be and is hereby stayed.

Date: Aug 31, 1982 R. D. Horsey
Judge

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In the Matter of the Foreclosure of a Mortgage from Terry James Eberhart : No. 11,335 CHANCERY

: In the Circuit Court For

: Somerset County, Maryland

: : : : : : : :-:

AFFIDAVIT

STATE OF MARYLAND, COUNTY OF SOMERSET, SS:

I do hereby certify that on this 13th day of May 1983, before me, the subscriber, a notary public in and for the state and county aforesaid, personally appeared Thomas S. Simpkins and he did depose and say:

That on May 9th, 1983, he did mail a copy of the advertizement of sale in the above matter to: Terry James Eberhart, Rt. 1, Box 382, Marion Station, Maryland 21838, by certified mail as required by Rule W74(b); and that on May 9th, 1983, he did mail a copy of the advertizement of said sale to Dirk W. Widdowson, Esq.,P.O. Box 41, Salisbury, Md., 21801, by regular U.S. Mail, postage prepaid.

Jean Taylor
Notary Public

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. SOMERSET AVE
P.O. BOX 207
PRINCESS ANNE, MD. 21853

TELEPHONE 651-1400

Maryland

Chancery # 11,335

WESTERN SURETY COMPANY

One of America's Oldest Bonding Companies

CHICAGO • SIOUX FALLS • DALLAS
PALO ALTO • VALLEY FORGE

BOOK 048 PAGE 558

TRUSTEES, MORTGAGEES, ATTORNEYS OR FORECLOSURE BOND

KNOW ALL MEN BY THESE PRESENTS: FORM No. 19-TM-6012

That we, Thomas S. Simpkins, as Principal, and the WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, as Surety, authorized to do business in the State of Maryland, are held and firmly bound in the sum of FORTY THOUSAND DOLLARS/00 ($ 40,000) DOLLARS,
(NOT VALID IF FILLED IN FOR MORE THAN $500,000.00)
to be paid to the said State of Maryland or its certain Attorney, to which payment well and truly to be made, we bind ourselves and our legal representatives, jointly and severally, by these presents.

Sealed with our seals and dated this 20TH day of May, 19 83.

WHEREAS, the above bounden Thomas S. Simpkins

by virtue of the power contained in a mortgage from Terry James Eberhart

to William T. Chaffey III and Diane J. Chaffey

bearing date the 18th day of December, 1978 and recorded among

the mortgage records of Somerset County, Maryland

in Liber 311 No. 633 Folio

and Thomas S. Simpkins
is about to sell the land and premises described in said mortgage, default having been made in the payment of the money as specified, and in the conditions and covenants therein contained.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bounden

do and shall well and truly and faithfully perform the trust reposed in Him under the mortgage aforesaid, and shall abide by and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of said mortgaged property, or the proceeds thereof, then the above obligation to be void, otherwise to be and remain in full force and virtue in law.

Signed, Sealed and delivered in
the presence of

As to Principal

(Thomas S. Simpkins) Principal

Principal

As to Surety

WESTERN SURETY COMPANY

By Vice President

Countersigned by Mary Lou King Maryland Resident Agent

THE WITHIN BOND APPROVED.

MAY 20 1 23 PM '83

PER: Theodore Phebus, CLERK.

RECORDED IN
LIBER NO. FOLIO
I. THEODORE PHEBUS, CLK. CI. CT.
BY DEPUTY

1268—10-77

Bond Book 11 Page 217

In the Matter of the Foreclosure of a Mortgage from Terry James Eberhart : NO. 11,335 CHANCERY

: IN THE CIRCUIT COURT FOR

: SOMERSET COUNTY, MARYLAND

: : : :

AFFIDAVIT

STATE OF MARYLAND, COUNTY OF SOMERSET, SS:

I hereby certify that on this 24th day of May 1983, before me, the subscriber, a notary public in and for the state and county aforesaid, personally appeared William T. Chaffey, Jr. and after being duly sworn by me according to law, deposes and says:

1. That he was the purchaser at the public auction of the property in these proceedings held on May 24, 1983, at 2:00 p.m. for $25,000.00.
2. That he did not directly or indirectly discourage anyone from bidding on the property.

As Witness my hand and Notarial Seal.

Jean Taylor
Notary Public

JEAN TAYLOR NOTARY PUBLIC

THOMAS S. SIMPKINS
ATTORNEY AT LAW
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P.O. BOX 207
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TELEPHONE 651-1400

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In the Matter of the Foreclosure of a Mortgage from Terry James Eberhart	:	NO. 11,335 CHANCERY
	:	IN THE CIRCUIT COURT FOR
Ex Parte	:	SOMERSET COUNTY, MARYLAND

: : : : : :

REPORT OF SALE

TO THE HONORABLE, THE JUDGE OF SAID COURT:

Thomas S. Simpkins, Attorney in the above captioned cause, duly qualified after filing his approved bond, hereby reports: That he did on May 24th, 1983, at 2:00 p.m. after having given due notice as required by law, sell the land at public auction described in these proceedings, unto William T. Chaffey, Jr., and Diane J. Chaffey, his wife, for the sum of Twenty-five Thousand Dollars ($25,000.00), that being the highest bid therefor and that a deposit of $3,500.00 has been paid as per terms of sale, the unpaid portion to be paid upon ratification.

Respectfully submitted,

Thomas S. Simpkins

STATE OF MARYLAND, COUNTY OF SOMERSET, SS:

I hereby certify that on this 24th day of May 1983, before me, the subscriber, a notary public in and for the state and county aforesaid, personally appeared Thomas S. Simpkins, and he did depose and say: that he was duly appointed and qualified to sell the land in the above proceedings and that he did sell the same as hereinbefore set forth, that the sale was fairly conducted and that the Report of Sale is true and correct to the best of his information, knowledge and belief.

As Witness my hand and Notarial Seal.

Jean Taylor
Notary Public

THOMAS S. SIMPKINS
ATTORNEY AT LAW
31 N. SOMERSET AVE.
P.O. BOX 207
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

THOMAS S. SIMPKINS
Attorney at Law
Princess Anne, Maryland

In the Foreclosure of a
Mortgage from Terry James Eberhart

CHANCERY NO. 11,335

In the Circuit Court For

Somerset County, Maryland

ORDER NISI

ORDERED, by the Circuit Court for Somerset County, Maryland, this 25th day of May 1983, that the sale of the property mentioned in these proceedings, made and reported by Thomas S. Simpkins, Attorney, BE RATIFIED and CONFIRMED unless cause to the contrary thereof, be shown on or before the 24th day of June 1983; provided a copy of this ORDER be inserted in some newspaper published in Somerset County, Maryland, once in each of three consecutive weeks before the 20th day of June 1983.

The Report states the amount of sale to be a total of Twenty-five Thousand Dollars ($25,000.00).

I. Theodore Phoebus

I. Theodore Phoebus, Clerk

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. SOMERSET AVE.
P.O. BOX 207
PRINCESS ANNE, MD. 21853

TELEPHONE 651-1400

BOOK 048 PAGE 562

PRINCESS ANNE, MD., June 16 1983

This is to certify that the annexed Notice

has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Notice

Dates Inserted: June 2, 9, 16 1983

J. Bryan Byrd

Business Manager MARYLANDER and HERALD

THOMAS S. SIMPKINS
Attorney at Law
Princess Anne, Maryland

IN THE FORECLOSURE OF A MORTGAGE FROM TERRY JAMES EBERHART

CHANCERY NO. 11,335
In the Circuit Court for
Somerset County, Maryland

ORDER NISI

ORDERED, by the Circuit Court for Somerset County, Maryland, this 25th day of May 1983, that the sale of the property mentioned in these proceedings, made and reported by Thomas S. Simpkins, Attorney, BE RATIFIED and CONFIRMED unless cause to the contrary thereof be shown on or before the 24th day of June 1983; provided a copy of this ORDER be inserted in some newspaper published in Somerset County, Maryland, once in each of three consecutive weeks before the 20th day of June 1983.

The Report states the amount of sale to be a total of Twenty-five Thousand Dollars ($25,000.00).

I. THEODORE PHOEBUS
Clerk

True Copy, Test: I. Theodore Phoebus, Clerk

3tc 6/2

Thomas S. Simpkins
Attorney at Law
51 N. Somerset Ave.
Princess Anne, Md. 21853

Mortgage Foreclosure Sale

Of Valuable Residental Property

Lawson's Election District
Somerset County, Maryland

UNDER and by virtue of the power of sale contained in a mortgage from Terry James Eberhart to William T. Chaffey, III, and Diane J. Chaffey, and recorded among the Land Records of Somerset County, Maryland, in Liber 311, folio 633, et seq., and assigned unto Thomas S. Simpkins for the purpose of foreclosure and collection, and default having occurred under the terms therein, I hereby give notice as required by law that I will offer for sale at public auction to the highest bidder therefor on

Tuesday
May 24, 1983
at 2:00 p.m.
At

The Prince William Street Door of the Somerset County Courthouse, Princess Anne, Maryland.

the following land and improvements thereon:

All that lot or parcel of land situate, lying and being in Lawson's Election District, Somerset County, Maryland, beginning for the same at an iron pipe set at the intersection of Turpin Road and a private lane; thence, by and with Turpin Road N.45°25'30"W. 180.30 ft. to an iron pipe; thence, by and with said road N.49°10'16"W. 188 ft. to an iron pipe; thence N.40°58'28"E. to an iron pipe in a ditch; thence by and with the center line of said ditch S.57°33'12"E. 230 ft. to an iron pipe set on the Northwesternmost edge of said private lane; thence by and with said lane S.10°58'48"W. 281.02 ft. to an iron pipe at place of beginning; containing 1.50 acres, more or less, as depicted on a plat recorded among the Land Records of Somerset County, Maryland, in Liber 311, folio 632; and being the same land which was conveyed unto Terry James Eberhart by William J. Johnson, by deed dated December 18, 1978 and recorded among the aforesaid Land Records in Liber 311, folio 630.

IMPROVEMENTS:

This property is improved by a 7-room single-story bungalow, consisting of 3 bedrooms, living room, kitchen, dining room, utility room and full bath. Oil-fired hot air heat, aluminum siding with unattached garage.

TERMS OF SALE:

$3,500.00 on day of sale by cash or certified check; balance upon ratification of sale, unpaid portion to bear interest at 10% to date of settlement. All title papers, revenue stamps, recording costs and other closing costs at the expense of the purchaser.

Thomas S. Simpkins
Attorney and Assignee
51 N. Somerset Avenue
Princess Anne, Md. 21853
301-651-1400

5-11-23

11,335 Chancery

BOOK 048 PAGE 563

Area Code (302) 674-4750

BOOK 048 PAGE 564

INDEPENDENT NEWSPAPERS INCORPORATED • P.O. BOX 7001, DOVER, DEL. 19901

County of Kent :
: s.s.
State of Delaware:

Before me, a Notary Public for the County and State aforesaid, personally appeared JENNILEE GRANDFIELD of Independent Newspapers, Inc., who deposes and swears that the notice, a copy of which is hereto attached, was published in THE CRISFIELD TIMES, CRISFIELD, MARYLAND, in its issue of MAY 11,18, 1983.

Jennilee Grandfield
Independent Newspapers, Inc.

Sworn to and subscribed before me this fourteenth day of June, A.D. 1983.

Wendolyn A. Roberts
Notary Public

11,335 Chancery

APPOINTED MAY 01, 19
TERM 2 YEARS
NOTARY PUBLIC - DELAWARE

In the Matter of the	:	NO. 11,335 CHANCERY
Foreclosure of a Mortgage	:	IN THE CIRCUIT COURT FOR
from Terry James Eberhart	:	SOMERSET COUNTY, MARYLAND
Ex Parte	:	

: : : : :

ORDER OF RATIFICATION

UPON the Report of Sale, Affidavit and ORDER NISI which was duly published as required by Rule, and no one having shown cause to the contrary or objected thereto, IT IS this 23rd day of June 1983, ORDERED AND DECREED by the Circuit Court for Somerset County, Maryland, in #11,335 Chancery that the sale of the property mentioned in these proceedings BE and IT hereby IS RATIFIED AND CONFIRMED.

T. Gilmore Dorsey
JUDGE

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. SOMERSET AVE.
P.O. BOX 207
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

BOOK 048 PAGE 566

In the Matter of the Foreclosure of a Mortgage from Terry James Eberhart	*	IN THE CIRCUIT COURT FOR
	*	SOMERSET COUNTY, MARYLAND
	*	CHANCERY NO. 11,335

FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he made an examination of the proceedings in the above entitled cause and from them and the list of expenses furnished him therein, states the following Account:

Amount of Sale			$ 25,000.00
Interest from 5/25/83 to 6/22/83			353.40
Fees, Costs, Expenses, etc.:			$ 25,353.40
I. Theodore Phoebus, Court costs		245.00	
Marylander and Herald			
Advertising	$400.17		
Order Nisi	50.00	450.17	
Henderson Insurance, Bond		120.00	
Auctioneer		100.00	
Logan C. Widdowson, Auditor		65.00	
Trustee Commissions		1,400.00	
Attorney fee per Mortgage		75.00	
Notary Fees		10.00	
Certified Mail		3.10	
Total Fees, Costs, Expenses, etc.		2,468.27	
Balance to be Distributed			$ 22,885.13
Mortgage Debt			
Principal Balance	$32,616.45		
Interest through 5/24/83	2,707.74		
Interest from 5/25/83 through 7/16/83	473.82		
Total Mortgage Debt			$ 35,798.01
Deficit			$ 12,912.88

ALL EXCEPTIONS to said report must be filed within fifteen (15) days of the date of filing; if no exceptions are filed, the account may be ratified.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing on the date of the filing of the Audit notice of this report to the following parties by regular U.S. mail:

William T. Chaffey, III
Diane J. Chaffey, his wife
Rt. #1, Box 312-A
Marion Station, MD 21838

Terry James Eberhart
Rt. #1, Box 200
Marion Station, MD 21838

Thomas Simpkins, Esq.
Somerset Avenue
Princess Anne, MD
21853

LOGAN C. WIDDOWSON
ATTORNEY AT LAW
NORTH SOMERSET AVENUE
PRINCESS ANNE, MD. 21853
651-3600

Logan C. Widdowson, Auditor

Date of Filing: July 7, 1983

LCW/gjb
7/7/83
83 # 139

No. 11,335 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 7th day of July, 19 83 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the 22nd day of July, 19 83.

I. Theodore Phelps
CLERK

No exceptions having been filed, and no cause to the contrary having been shown, IT IS ORDERED by the Circuit Court for Somerset County, in Equity, this 25th day of July, 19 83 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

I. Theodore Phelps
CLERK

MAR 22 1984
Eld

MAY 16-83 A 922338D*****10.00
MAY 16-83 A 922337D*****60.00

BOOK 043 PAGE 588

RAYMOND S. SMETHURST, JR. and EUGENIA C. WOOTTON, Assignees and Trustees One Plaza East - Sixth Floor Salisbury, Maryland 21801 Plaintiffs v. RICHARD W. CHRISTY and ELVA N. CHRISTY and GEORGE A. CHRISTY & SON, INC. a body corporate, of the State of Maryland c/o Lester A. Simpson, Trustee in Bankruptcy 540 Riverside Drive Salisbury, Maryland 21801 Defendants	*	NO. 11536 CHANCERY IN THE CIRCUIT COURT FOR SOMERSET COUNTY STATE OF MARYLAND

* *

ORDER TO DOCKET

Mr. Clerk:

Please docket the above-entitled case as an action in foreclosure pursuant to Md. R. W72.c.1.

Attached hereto as Exhibit A is a mortgage from Richard W. Christy, individually and t/a George A. Christy & Son, Richard W. Christy and Elva N. Christy to the Bank of Somerset dated December 10, 1971, and recorded among the Land Records of Somerset County in Liber I.T.P. No. 265, Folio 22, which mortgage has been assigned to Raymond S. Smethurst, Jr. and Eugenia C. Wootton by assignment dated April 14, 1983, and recorded among the Land Records of Somerset County in Liber I.T.P. No. 337, Folio 403.

LAW OFFICES
ADKINS, POTTS
& SMETHURST
SIXTH FLOOR
ONE PLAZA EAST
SALISBURY, MD. 21801

Attached hereto as Exhibit B is a mortgage from Richard W. Christy and Elva N. Christy to the Bank of Somerset dated June 20, 1973, and recorded among the Land Records of Somerset County in Liber I.T.P. No. 274, Folio 369, which mortgage has been assigned to Raymond S. Smethurst, Jr. and Eugenia C. Wootton by assignment dated April 14, 1983, and recorded among the Land Records of Somerset County in Liber I.T.P. No. 337, Folio 404.

Attached hereto as Exhibit C is a deed of trust from Richard W. Christy, individually and t/a George A. Christy & Son, Richard W. Christy and Elva N. Christy, his wife, and George A. Christy & Son, Inc., to Alexander G. Jones and Robert L. Taylor, Trustees, dated May 23, 1975, and recorded among the Land Records of Somerset County in Liber I.T.P. No. 287, Folio 149.

Attached hereto as Exhibit D is a Deed of Appointment dated March 14, 1983, appointing Raymond S. Smethurst, Jr. and Eugenia C. Wootton, Substitute Trustees, said Deed of Appointment being recorded among the Land Records of Somerset County, Maryland in Liber I.T.P. No. 337, Folio 405.

Attached hereto as Exhibit E is an Order of the United States Bankruptcy Court for the District of Maryland dated May 12, 1983, in Case No. 80-2-1915-L.

Attached hereto as Exhibit F, pursuant to Md. R. W72.d, is a Statement Of Outstanding Debt under mortgages and deed of trust, made under oath by an authorized agent of the debtholder.

Raymond S. Smethurst, Jr.

Eugenia C. Wootton

LAW OFFICES
ADKINS, POTTS
& SMETHURST
SIXTH FLOOR
ONE PLAZA EAST
SALISBURY, MD. 21801

BOOK 048 PAGE 569

BOOK 048 PAGE 570

ADKINS, POTTS & SMETHURST
One Plaza East - Sixth Floor
P. O. Box 671
Salisbury, Maryland 21801
(301) 749-0161

FOR EXHIBIT "A" (MORTGAGE) SEE LIBER ITP NO. 265 PAGE 22

FOR EXHIBIT "B" (MORTGAGE) SEE LIBER ITP NO. 274 PAGE 369

FOR EXHIBIT "C" (DEED OF TRUST) SEE LIBER ITP NO. 287 PAGE 149

FOR EXHIBIT "D" (DEED OF APPOINTMENT) SEE LIBER ITP NO. 337 PAGE 274

LAW OFFICES
ADKINS, POTTS
& SMETHURST
SIXTH FLOOR
ONE PLAZA EAST
SALISBURY, MD. 21801

RAYMOND S. SMETHURST, JR. and EUGENIA C. WOOTTON, Assignees and Trustees	*	NO. 11,535 CHANCERY
Plaintiffs	*	IN THE CIRCUIT COURT
v.	*	
RICHARD W. CHRISTY and ELVA N. CHRISTY	*	
and	*	FOR SOMERSET COUNTY
GEORGE A. CHRISTY & SON, INC. a body corporate, of the State of Maryland	*	
Defendants	*	STATE OF MARYLAND

* *

STATEMENT OF OUTSTANDING DEBT

The statement of outstanding debt of Peninsula Bank under (1) a mortgage from Richard W. Christy, individually and t/a George A. Christy & Son, and Richard W. Christy and Elva N. Christy, his wife, to Bank of Somerset dated December 10, 1971, and recorded among the Land Records of Somerset County in Liber I.T.P. No. 265, Folio 22; (2) mortgage from Richard W. Christy and Elva N. Christy to Bank of Somerset dated June 20, 1973, and recorded among the Land Records of Somerset County in Liber I.T.P. No. 274, Folio 369; and (3) deed of trust from Richard W. Christy, individually and t/a George A. Christy & Son, and Richard W. Christy and Elva N. Christy, his wife, and George A. Christy & Son, Inc., a body corporate of the State of Maryland, to Alexander G. Jones and Robert L. Taylor, Trustees, dated May 23, 1975 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 287, Folio 149:

LAW OFFICES
ADKINS, POTTS
& SMETHURST
SIXTH FLOOR
ONE PLAZA EAST
SALISBURY, MD. 21801

BOOK 043 PAGE 571

EXHIBIT F

Principal balance due.....$430,639.25
Interest through April 15, 1983.....$119,080.56
Net balance due.....$549,719.81

Daily interest rate is: $92.18

PENINSULA BANK

By: _____ (SEAL)
Hugh W. Mohler, President

STATE OF MARYLAND
COUNTY OF WICOMICO

I HEREBY CERTIFY that on this 16 day of May, 1983, before me, the subscriber, a notary public of the state and county aforesaid, personally appeared Hugh W. Mohler, who is known (or satisfactorily proven) to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he is the President of Peninsula Bank, and that he, being authorized to do so, made oath in due form of law that the foregoing is a true statement of the amount of the outstanding debt due on the mortgages and deed of trust filed in said cause.

AS WITNESS my hand and notarial seal.

Alita G. Bailey
Notary Public

My commission expires:
July 1, 1986

ALITA G. BAILEY NOTARY PUBLIC WICOMICO COUNTY

LAW OFFICES
ADKINS, POTTS
& SMETHURST
SIXTH FLOOR
ONE PLAZA EAST
SALISBURY, MD. 21801

5/13/83

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND

IN THE MATTER OF: GEO. A. CHRISTY & SON, INC. Debtor	IN PROCEEDINGS UNDER CHAPTER 7 CASE NO.: 80-2-1915-L
PENINSULA BANK P. O. Box 219 Princess Anne, Md. 21853 Plaintiff v. GEO. A. CHRISTY & SON, INC. Crisfield, MD 21817 and LESTER A. SIMPSON, Trustee 540 Riverside Drive Salisbury, MD 21801 Defendants	ADVERSARY NO.: 83-0524B

CONSENT ORDER GRANTING RELIEF FROM AUTOMATIC STAY

Upon consideration of the Complaint Seeking Relief From Automatic Stay and the Application For Consent Order Regarding Plaintiff's Complaint Seeking Relief From Automatic Stay, for the termination of the automatic stay created pursuant to the filing of the petition for bankruptcy on October 14, 1980, upon the grounds that the Debtor has no equity in the real and personal property described in paragraphs 5 and 9 of the Complaint and

9 EXHIBIT E

that said real and personal property is not necessary to an effective reorganization of the Debtor, it is hereby ORDERED this 12th day of ~~April~~ May, 1983, that

Effective the 12th day of May, 1983, the Automatic Stay of Section 362 shall be terminated to enable Plaintiff, Peninsula Bank, to proceed with a public sale of the real and personal property described in paragraphs 5 and 9 of Plaintiff's Complaint Seeking Relief From Automatic Stay in the Circuit Court for Somerset County, Maryland.

James F. Schneider
JUDGE

Order approved as to form:

Raymond S. Smethurst, Jr.

John B. Robins, IV

Thomas L. Lilly

ADKINS, POTTS & SMETHURST
ATTORNEYS AT LAW
SIXTH FLOOR
ONE PLAZA EAST
P. O. BOX 671
SALISBURY, MARYLAND 21801
(301) 749-0161

E. DALE ADKINS, JR. (1918-1982)
RAYMOND S. SMETHURST, JR.
HENRY M. RUTLEDGE
ROBERT S. TAYLOR
SALLY D. ADKINS

JOHN C. SEIPP
EUGENIA C. WOOTTON

COUNSEL
CHARLES J. POTTS

May 18, 1983

Honorable Lloyd L. Simpkins
Circuit Court for Somerset County
Court House
Princess Anne, Maryland 21853

RE: Chancery No. 11, 535, Raymond S. Smethurst, Jr. and Eugenia C. Wootton, Assignees and Trustees v. Richard W. Christy and Elva N. Christy and George A. Christy and Son, Inc.

Dear Judge Simpkins:

The foreclosure sale of the property described as items one and two in the advertisement of Assignees and Trustees Sale attached hereto is scheduled for May 20, 1983. The Statement of Mortgage Debt filed in the above-referenced proceedings reflects that the principal amount due under the mortgages and deed of trust subject to foreclosure proceedings is $430,639.25, with interest through April 15, in the amount of $119,080.56, making a net balance due as of April 15, 1983 of $549,719.81.

An appraisal prepared by Michael J. Hynes, dated June 2, 1982, shows the value of the above property and the improvements thereon to be $104,000.00. I would therefore respectfully request that you authorize the filing of a bond in the amount of $104,000.00 rather than in the amount of the net balance due under the mortgage. In the event that the property is sold for more than $104,000.00, we will file a new bond increasing the amount of the bond to the amount of the purchase price of the sale.

Thank you for your consideration of this matter.

Very truly yours,

Eugenia C. Wootton

Eugenia C. Wootton

5/18/83
Ted - Bond of $104,000.00 under this conditions is O.K.
L. L. Simpkins

ECW:la
13713
Enclosure

BOOK 048 PAGE 575

RAYMOND S. SMETHURST, JR.
EUGENIA C. WOOTTON
ADKINS, POTTS & SMETHURST
One Plaza East - Sixth Floor
Salisbury, Md. 21801

and

THOMAS L. LILLY
111 Baptist St.
Salisbury, Md. 21801

ASSIGNEES AND TRUSTEES' SALE

OF WATERFRONT COMMERCIAL PROPERTY AND REFRIGERATION EQUIPMENT KNOWN AS GEO. A. CHRISTY & SON SEAFOOD PLANT ON LITTLE ANNAMESSEX RIVER IN CRISFIELD, MD.

Pursuant to the direction and authority of Joshua W. Miles and the First National Bank of Maryland, Trustees, Orders of the United States Bankruptcy Court for the District of Maryland in Case Nos. 80-2-1914-L and 80-2-1915-L, under and by virtue of the power of sale contained in (1) a mortgage from Richard W. Christy, individually and t/a George A. Christy & Son, and Richard W. Christy and Elva N. Christy, his wife, to Bank of Somerset dated December 10, 1971, and recorded among the Land Records of Somerset County in Liber I.T.P. No. 265, Folio 22; (2) mortgage from Richard W. Christy and Elva N. Christy to Bank of Somerset dated June 20, 1973, and recorded among the Land Records of Somerset County in Liber I.T.P. No. 274, Folio 369; and (3) deed of trust from Richard W. Christy, individually and t/a George A. Christy & Son, and Richard W. Christy and Elva N. Christy, his wife, and George A. Christy & Son, Inc., a body corporate of the State of Maryland, to Alexander G. Jones and Robert L. Taylor, Trustees, dated May 23, 1975, and recorded among the Land Records of Somerset County in Liber I.T.P. No. 287, Folio 149, and pursuant to financing statements filed September, 1977, in the Financing Statement Records of Somerset County in Liber I.T.P. No. 27, Folio 108, and in the Financing Statement Records of the State Department of Assessments and Taxation on Film 2396, Folio 000453, and 59-504 of the Commercial Law Article of the Annotated Code of Maryland (1975) (Cum. Supp. 1982), default having occured in the covenants thereof, the undersigned will offer for sale, at public auction, on the premises, on

FRIDAY MAY 20, 1983
AT 12:00 NOON

the following real and personal property:

REAL PROPERTY

ITEM ONE: All that tract or parcel of land situate in the Town of Cirsfield, Crisfield Election District, Somerset County, State of Maryland, in that part of said town known as "Jersey", being bounded on the northeast and southwest by the Little Annamessex River and more particularly described as follows: Beginning for the same at a point shown by the letter "A" onplat hereinafter referred to, said point being the southeasterly corner of the property hereby conveyed and binding on other lands of the said Richard W. Christy; running thence by and with other lands of Richard W. Christy South 44° 25' West 141.0 feet thfough the letter "B" on said plat to a 3" x 12" cap log as shown on said plat and the Little Annamessex River; running thence by and with said river North 34° 15' West a distance of 122.0 feet; thence continuing by and with said River along an existing bulkhead line North 35° 35' East a distance of 145.62 feet to lands now or formerly owned by Harry Spear and others; running thency by and with said Spear Lands South 34° 52' East a distance of 144.50 feet to point of beginning; being in all respects the same property shown on a plat entitled "Plat of Lands to be Conveyed to Richard W. Christy from Mrs. Olive Christy" dated January 15, 1969, prepared by W. Bollard Miles, Registered Surveyor, and recorded among the aforesaid Land Records in Liber I.T.P. No. 249, Folio 476; and being the same land which was conveyed unto Geo. A. Christy & Son, Inc. by Richard W. Christy and Elva N. Christy by Parcel 1 on a deed dated January 15, 1975 and recorded among the Land Records in Liber I.T.P. No. 286, Folio 211.

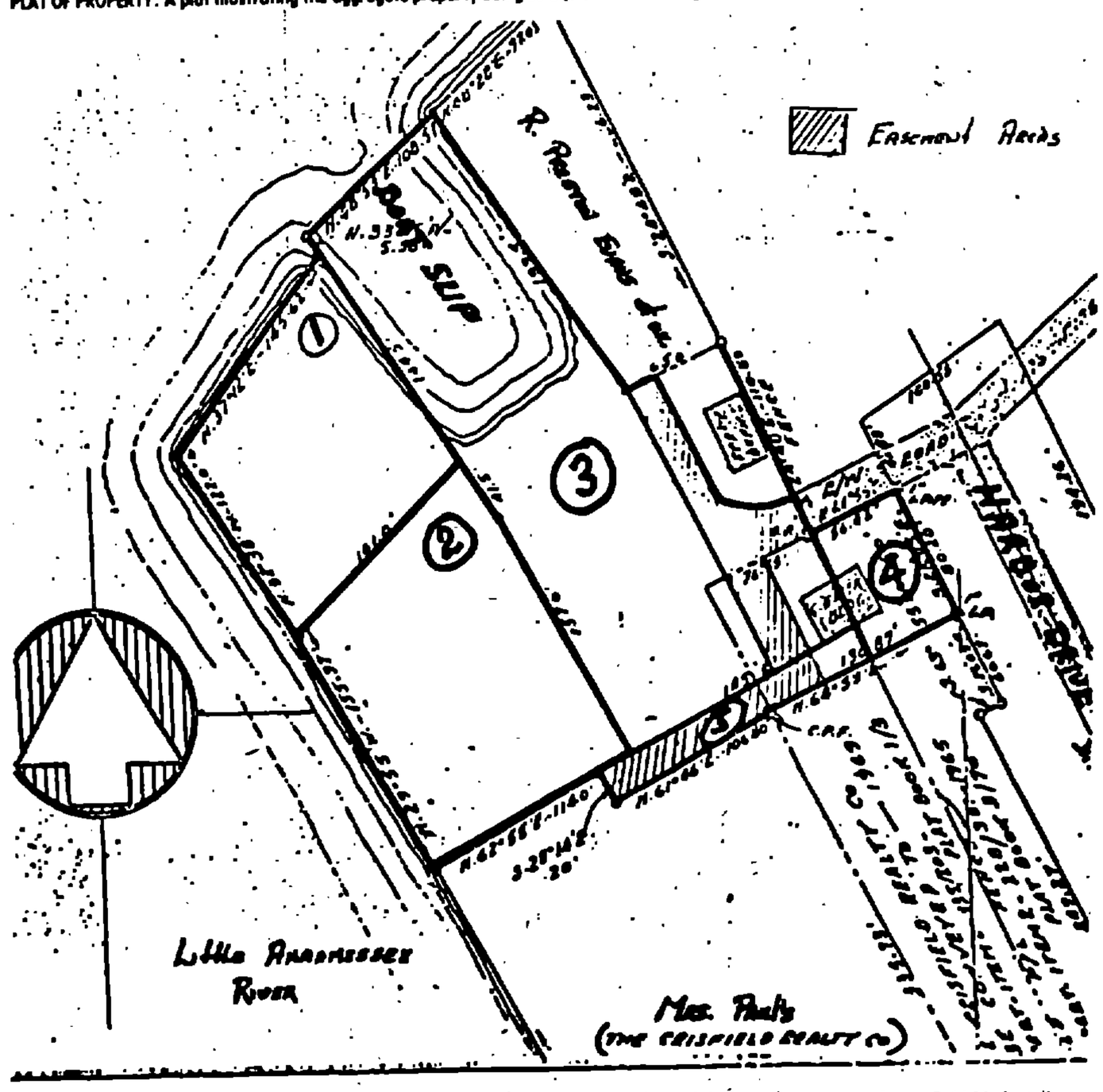
ITEM TWO: All that lot or parcel of land situate in Crisfield Election District, Somerset County, State of Maryland, in that part of Crisfield known as "Jersey" beginning for the same at an iron pipe at a point North 61° 10' East 114 feet from the northwest corner of the Cirsfield Realty property; thence North 31° 13' West approximately 170 feet to a cement post and the land of Olive Christy; thence by and with the said Olive Christy land South 59° 20' West 111.6 feet to the Little Annamessex River; thence by and with the said Little Annamessex River South 30° 06' East approximately 170 feet to the northwest corner of the Crisfield property; thence by and with the Crisfield Realty property North 61° 10' East 114 feet to the place of beof beginning, and being the same land conveyed unto Geo. A. Christy & Son, Inc. by Richard W. Christy and Elva N. Christy by Parcel 2 of a deed dated January 15, 1975 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 286, Folio 211.

ITEM THREE: All that lot or parcel of land situate in the Jersey Section, City of Crisfield, Crisfield Election District of Somerset County and being that part of Jersey Section which was formerly known as Drewer's Marine Railway and containing ninety-nine hundredths (.99) acre, more or less, and being the same and all that property conveyed to Joseph W. Miles and First National Bank of Maryland, Trustees, by Richard W. Christy and Elva N. Christy by Item First of a deed dated January 7, 1974, and recorded among the Land Records of Somerset County in Liber I.T.P. No. 277, Folio 716.

ITEM FOUR: All that lot or parcel of land situate in the Jersey Section, City of Crisfield, Crisfield Election District of Somerset County, State of Maryland, and being the northerly part of the property located in the Jersey Section conveyed to Agustus Forbush, St., et al., by Aldeen Gibson, et al., by a deed dated November 30, 1954, and recorded in the aforesaid Land Records in Liber B.L.B. No. 166, Folio 526; and being the same property conveyed to Joshua W. Miles and First National Bank of Maryland, Trustees, by Richard W. Christy and Elva N. Christy by Item Second of a deed dated January 7, 1974, and recorded among the Land Records of Somerset County in Liber I.T.P. 277, Folio 716.

ITEM FIVE: All that twenty foot strip or parcel of land situate in the Town of Crisfield, Crisfield Election District, Somerset County, Maryland binding upon the southeasterly lines of the property described in Items Two and Three above, and being a part of the land conveyed to Richard W. Christy and Elva N. Christy, as tenants by the entireties, by Edgar A. Jones, Trustee, by deed dated February 4, 1955, and recorded among the Land Records of Somerset County in Liber B.L.B. No. 170, Folio 124, title to which, upon the death of Elva N. Christy, vested by operation of law in Richard W. Christy, survivor in severalty.

PLAT OF PROPERTY. A plat illustrating the aggregate property being sold (Items One through Five, inclusive) is attached hereto as follows:



IMPROVEMENTS TO PROPERTY: The property is improved by: 673(+/-) lineal feet of bulkheading, an artesian well 1150 feet deep; a 25,000 square foot, asphalt parking lot; a 7,698 square feet, concrete block oyster house with an additional 1,450 square feet of office space on the second floor; an 15,000 square feet, three story brick structure (in poor condition); a 1,170 square foot garage of block construction.

EASEMENTS: Items Three and Five are subject to rights-of-way granted to Howard S. Drewer, his heirs and assigns, by deed dated May 17, 1948 and recorded among the Land Records of Somerset County in Liber B.L.B. No. 145, Folio 23, and to Crisfield Realty Co., Inc., its successors and assign, by deed dated December 28, 1954 and recorded among the Land Records of Somerset County in Liber B.L.B. No. 166, Folio 576. The rights-of-way in width between 20 and 30 feet. The approximate locations of the rights-of-way are shown on the accompanying plat. The easterly side of the boat slip is subject to the right of unrestricted access by R. Preston Evans and Carolyn H. Evans, their heirs and assigns, for so long as the adjacent boat slip is covered by navigable waters.

ZONING: The property is zoned light industrial pursuant to the Zoning Code of the City of Crisfield (1977).

PERSONAL PROPERTY

10 York Model DER-25 (2.5 ton) ice makers with York model 10 HW (3 phase) compressors and control panel.
2 York 3 cylinder, internally compounded compressors with electric defrost units and receivers.
1 Dunham - Bush 3 H.P. air cooled compressor with electric defrost unit and 2 Dunham - Bush air handlers.
2 York 6 cylinder, internally compounded compressors with Kreck electric defrost units, condensers and receivers, and Kreck Model Y36ED-DXF air handlers.
1 York 4 cylinder, internally compounded compressor with Kreck electric defrost unit, condenser and receiver, and Kreck Model Y36ED-DXF air handler.
1 Prestcold air cooled compressor and Kreck Model 12-ED air handler
4 Unicorn air cooled compressors
4 Stainless steel float tanks
1 Stainless steel skimming table
Miscellaneous items

METHOD OF SALE

The undersigned assignees and trustees will first offer the real property for sale and will sell all five items as a single parcel of land. They will next offer the personal property for sale, piece by piece.

TERMS OF SALE

The property, real and person, is sold in an "as-is" condition with no warranties, expressed or implied. The risk of loss by fire or other casualty passes to purchasers at date of sale.

REAL PROPERTY: Twenty Thousand Dollars ($20,000) cash on date of sale, balance to bear interest at the rate of twelve percent (12%) per annum and t be secured to the satisfaction of the trustees and assignees, and to be payable in cash or equivalent at settlement within twenty (20) days following final ratification of sale by the circuit court for Somerset County, time being of the essence or all cash at the option of the purchaser. Title papers, transfer taxes, recordation taxes, and recording fees shall be at the expense of the purchaser, with property taxes and other public charges to be adjusted as of the date of sale. Purchasers shall be entitled to possession upon payment of all monies due unless otherwise agreed upon in writing by the undersigned.

PERSONAL PROPERTY: All cash on date of sale. Purchasers may be subject to Maryland Retail Sales tax (5%). Purchasers of personal property shall have 45 days from date of sale to remove their purchases from the premises; arrangements for access to remove may be made by contacting Michael Wigglesworth, c/o Peninsula Bank, Crisfield, Maryland, at (301) 968-0990. All personal property shall be removed in a workmanlike manner so as to do no damage to the building in which located. All electric lines to equipment shall be cut within 12 inches of the equipment. All line-sets are to be cut at the face of the closest interior wall/ceiling/floor.

Compliance with the terms of sale will be required, or deposits shall be forfeited and the property resold at the risk and cost of the defaulting purchaser.

FINANCING AVAILABLE

Purchase money financing is available to qualified purchasers. Interested parties should contact Morris A. Bozman, Vice President, Peninsula Bank, 30 S. Somerset Avenue, Princess Anne, Maryland 21853, telephone (301) 651-2400.

For inspection or information pertaining to property, contact Auctioneer.

Raymond S. Smethurst, Jr.,

PETE RICHARDSON AUCTION & SALES

P.O. Box 31, Willards, MD 21874
Phone: 548-2625 Office; 742-6228 Home

Assignee and Trustee
First National Bank of Maryland
Trustee
Lester A. Simpson, Trustee in Bankruptcy
-29 5-6 5-13 5-19

Eugenia C. Wootten, Assignee
And Trustee
Joshua W. Miles, Trustee

BOOK 048 PAGE 577

BOOK 048 PAGE 578

RAYMOND S. SMETHURST, JR. and EUGENIA C. WOOTTON, Assignees and Trustees One Plaza East - Sixth Floor Salisbury, Maryland 21801 Plaintiffs v. RICHARD W. CHRISTY and ELVA N. CHRISTY and GEORGE A. CHRISTY & SON, INC. a body corporate, of the State of Maryland c/o Lester A. Simpson, Trustee in Bankruptcy 540 Riverside Drive Salisbury, Maryland 21801 Defendants	*	NO. 11,535 CHANCERY IN THE CIRCUIT COURT FOR SOMERSET COUNTY STATE OF MARYLAND

* *

AFFIDAVIT OF NOTICE TO BORROWERS
PURSUANT TO RULE W7422(c)

STATE OF MARYLAND, WICOMICO COUNTY, to wit:

I, Eugenia C. Wootton, assignee and trustee, as set forth in the pleadings filed in the above-referenced case, make oath that pursuant to MD. Real Property Code Ann. § 7-105(b) (1981 Repl. Vol.) and Rule W74a2(c), Maryland Rules of Procedure, I mailed to June Miles Christy, Personal Representative of the Estate of Richard W. Christy and Secretary and Surviving Director of George A. Christy & Son, Inc., at her last known address, on May 12, 1983, by Certified Mail, Return Receipt Requested, a notice of the time, place and terms of the foreclosure sale, which date was not earlier than twenty days, nor later than five days, before the date of sale in these proceed-

LAW OFFICES
ADKINS, POTTS
& SMETHURST
SIXTH FLOOR
ONE PLAZA EAST
SALISBURY, MD. 21801

ings. The receipt from the Post Office for said certified mail is attached hereto.

Eugenia C. Wootton

Eugenia C. Wootton

Subscribed and sworn before me this 18th day of May, 1983.

Lynn Adkins

Notary Public

My commission expires:
July 1, 1986

LAW OFFICES
ADKINS, POTTS
& SMETHURST
SIXTH FLOOR
ONE PLAZA EAST
SALISBURY, MD. 21801

May 12, 1983

June Miles Christy, Personal Representative
of the Estate of Richard W. Christy and
Secretary and Surviving Director of Geo.
A. Christy & Son, Inc.
Cullen's Parkway
Crisfield, Maryland 21817

RE: Sale of waterfront commercial property
and refrigeration equipment known as
Geo. A. Christy & Son Seafood Plant,
Crisfield, Maryland.

Dear Mrs. Christy:

Pursuant to Maryland Rule W74(a)(2)(c), we are hereby notifying you that the sale of the property described on the enclosed advertisement for "Assignees and Trustees Sale of Waterfront Commercial Property and Refrigeration Equipment known as Geo. A. Christy & Son Seafood Plant on Little Annemessex's River in Crisfield, MD" will take place at public auction to be held on the premises in Crisfield, Somerset County, Maryland on May 20, 1983, at 12:00 Noon, and will be sold then and there to the highest bidder(s).

The method of sale, terms of sale and other particulars are set forth on the xerox copy of the advertisement appearing in the Daily Times.C

Very truly yours,

Eugenia C. Wootton

ECW:la
13713
Enclosure
cc: Hugh Mohler, President
Thomas L. Lilly, Esquire
John B. Robins, IV, Esquire

CERTIFIED RETURN RECEIPT REQUESTED

RAYMOND S. SMETHURST, JR.
EUGENIA C. WOOTTON
ADKINS, POTTS & SMETHURST
One Plaza East - Sixth Floor
Salisbury, Md. 21801

and

THOMAS L. LILLY
111 Baptist St.
Salisbury, Md. 21801

ASSIGNEES AND TRUSTEES' SALE

OF WATERFRONT COMMERCIAL PROPERTY AND REFRIGERATION EQUIPMENT KNOWN AS GEO. A. CHRISTY & SON SEAFOOD PLANT ON LITTLE ANNAMESSEX RIVER IN CRISFIELD, MD.

Pursuant to the direction and authority of Joshua W. Miles and the First National Bank of Maryland, Trustees, Orders of the United States Bankruptcy Court for the District of Maryland in Case Nos. 80-2-1914-L and 80-2-1915-L, under and by virtue of the power of sale contained in (1) a mortgage from Richard W. Christy, individually and t/a George A. Christy & Son, and Richard W. Christy and Elva N. Christy, his wife, to Bank of Somerset dated December 10, 1971, and recorded among the Land Records of Somerset County in Liber I.T.P. No. 265, Folio 22; (2) mortgage from Richard W. Christy and Elva N. Christy to Bank of Somerset dated June 20, 1973, and recorded among the Land Records of Somerset County in Liber I.T.P. No. 274, Folio 369; and (3) deed of trust from Richard W. Christy, individually and t/a George A. Christy & Son, and Richard W. Christy and Elva N. Christy, his wife, and George A. Christy & Son, Inc., a body corporate of the State of Maryland, to Alexander G. Jones and Robert L. Taylor, Trustees, dated May 23, 1975, and recorded among the Land Records of Somerset County in Liber I.T.P. No. 287, Folio 149, and pursuant to financing statements filed September, 1977, in the Financing Statement Records of Somerset County in Liber I.T.P. No. 27, Folio 108, and in the Financing Statement Records of the State Department of Assessments and Taxation on Film 2396, Folio 000453, and 59-504 of the Commercial Law Article of the Annotated Code of Maryland (1975) (Cum. Supp. 1982), default having occured in the covenants thereof, the undersigned will offer for sale, at public auction, on the premises, on

FRIDAY MAY 20, 1983
AT 12:00 NOON

the following real and personal property:

REAL PROPERTY

ITEM ONE: All that tract or parcel of land situate in the Town of Crisfield, Crisfield Election District, Somerset County, State of Maryland, in that part of said town known as "Jersey", being bounded on the northeast and southwest by the Little Annamessex River and more particularly described as follows: Beginning for the same at a point shown by the letter "A" onplat hereinafter referred to, said point being the southeasterly corner of the property hereby conveyed and binding on other lands of the said Richard W. Christy; running thence by and with other lands of Richard W. Christy South 44° 25' West 141.0 feet through the letter "B" on said plat to a 3" x 12" cap log as shown on said plat and the Little Annamessex River; running thence by and with said river North 34° 15' West a distance of 122.0 feet; thence continuing by and with said River along an existing bulkhead line North 35° 35' East a distance of 145.62 feet to lands now or formerly owned by Harry Spear and others; running thency by and with said Spear Lands South 34° 52' East a distance of 144.50 feet to point of beginning; being in all respects the same property shown on a plat entitled "Plat of Lands to be Conveyed to Richard W. Christy from Mrs. Olive Christy" dated January 15, 1969, prepared by W. Bollard Miles, Registered Surveyor, and recorded among the aforesaid Land Records in Liber I.T.P. No. 249, Folio 476; and being the same land which was conveyed unto Geo. A. Christy & Son, Inc. by Richard W. Christy and Elva N. Christy by Parcel 1 on a deed dated January 15, 1975 and recorded among the Land Records in Liber I.T.P. No. 286, Folio 211.

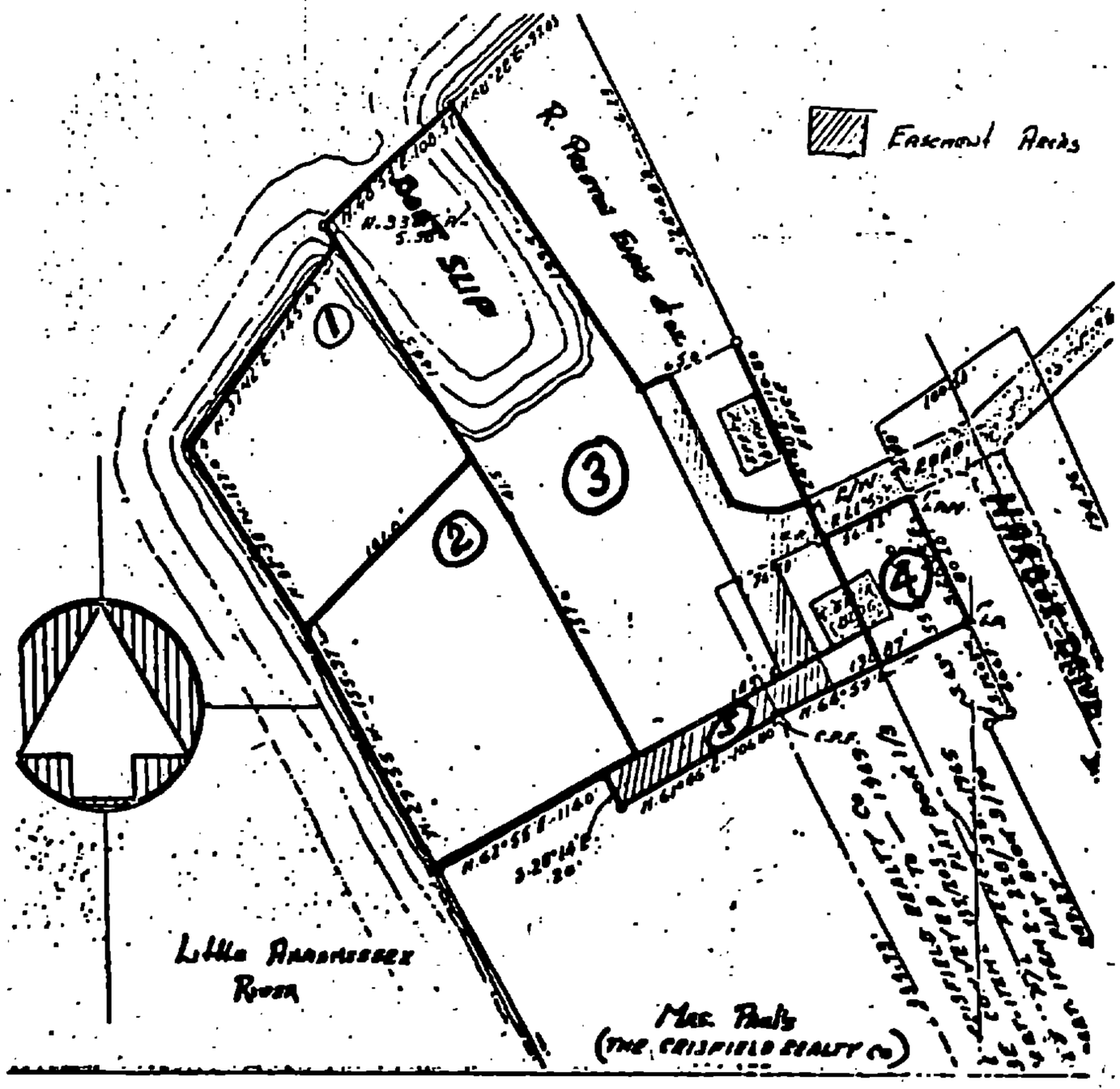
ITEM TWO: All that lot or parcel of land situate in Crisfield Election District, Somerset County, State of Maryland, in that part of Crisfield known as "Jersey" beginning for the same at an iron pipe at a point North 61° 10' East 114 feet from the northwest corner of the Crisfield Realty property; thence North 31° 131 West approximately 170 feet to a cement post and the land of Olive Christy; thence by and with the said Olive Christy land South 59° 20' West 111.6 feet to the Little Annamessex River; thence by and with the said Little Annamessex River South 30° 06' East approximately 170 feet to the northwest corner of the Crisfield property; thence by and with the Crisfield Realty property North 61° 10' East 114 feet to the place of beof beginning, and being the same land conveyed unto Geo. A. Christy & Son, Inc. by Richard W. Christy and Elva N. Christy by Parcel 2 of a deed dated January 15, 1975 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 286, Folio 211.

ITEM THREE: All that lot or parcel of land situate in the Jersey Section, City of Crisfield, Crisfield Election District of Somerset County and being that part of Jersey Section which was formerly known as Drawer's Marine Railway and containing ninety-nine hundredths (.99) acre, more or less, and being the same and all that property conveyed to Joseph W. Miles and First National Bank of Maryland, Trustees, by Richard W. Christy and Elva N. Christy by item First of a deed dated January 7, 1974, and recorded among the Land Records of Somerset County in Liber I.T.P. No. 277, Folio 716.

ITEM FOUR: All that lot or parcel of land situate in the Jersey Section, City of Crisfield, Crisfield Election District of Somerset County, State of Maryland, and being the northerly part of the property located in the Jersey Section conveyed to Agustus Forbush, Sr., et al., by Aldeen Gibson, et al., by a deed dated November 30, 1954, and recorded in the aforesaid Land Records in Liber B.L.B. No. 166, Folio 526; and being the same property conveyed to Joshua W. Miles and First National Bank of Maryland, Trustees, by Richard W. Christy and Elva N. Christy by item Second of a deed dated January 7, 1974, and recorded among the Land Records of Somerset County in Liber I.T.P. 277, Folio 716.

ITEM FIVE: All that twenty foot strip or parcel of land situate in the Town of Crisfield, Crisfield Election District, Somerset County, Maryland binding upon the southeasterly lines of the property described in Items Two and Three above, and being a part of the land conveyed to Richard W. Christy and Elva N. Christy, as tenants by the entireties, by Edgar A. Jones, Trustee, by deed dated February 4, 1955, and recorded among the Land Records of Somerset County in Liber B.L.B. No. 170, Folio 124, title to which, upon the death of Elva N. Christy, vested by operation of law in Richard W. Christy, survivor in severalty.

PLAT OF PROPERTY. A plat illustrating the aggregate property being sold (Items One through Five, inclusive) is attached hereto as follows:



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For inspection or information pertaining to property, contact Auctioneer.

Raymond S. Swarthurst, Jr.,

PETE RICHARDSON AUCTION & SALES

P.O. Box 51, W[illegible]rds, MD 21874
Phone: 548-2425 Office; 742-8228 Home

Assignee and Trustee
First National Bank of Maryland
Trustee
Lester A. Simpson, Trustee in Bankruptcy
-29 5-6 5-13 5-19

Eugenia C. Wootten, Assignee
And Trustee
Joshua W. Miles, Trustee

PS Form 3811, Dec. 1980

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
   - ☒ Show to whom and date delivered ..... —¢
   - ☐ Show to whom, date, and address of delivery.. —¢
2. ☐ RESTRICTED DELIVERY —¢
   (The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL $ ____

3. ARTICLE ADDRESSED TO: June Miles Christy, P.R. of the Estate of Richard Christy, dec. and Survivor Director of Geo. A. Christy & Son, Inc. Fullerton Parkway Crofield, Md. 21817

4. TYPE OF SERVICE:
   - ☐ REGISTERED ☐ INSURED
   - ☒ CERTIFIED ☐ COD
   - ☐ EXPRESS MAIL

ARTICLE NUMBER P 213 848 781

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

X June M. Christy

5. DATE OF DELIVERY

POSTMARK MAY 13 1985

6. ADDRESSEE'S ADDRESS *(Only if requested)*

7. UNABLE TO DELIVER BECAUSE:

7a. EMPLOYEE'S INITIALS

BOOK 048 PAGE 583

Judicial 13—Maryland—Mortgagee's or Attorney's Bond (1-55) ⊙

Bond Book No. 11, Page 224

IN THE CIRCUIT COURT OF SOMERSET COUNTY

STATE OF MARYLAND

BOOK 048 PAGE 584

RAYMOND S. SMETHURST, JR.
AND
EUGENIA C. WOOTTON, ASSIGNEES AND TRUSTEES

vs.

RICHARD W. CHRISTY AND ELVA N. CHRISTY AND GEORGE A. CHRISTY AND SON, INC.

CHANCERY NO. 11,535

BOND OF MORTGAGE FORECLOSURE ~~TO SELL~~

KNOW ALL MEN BY THESE PRESENTS: That we, Raymond S. Smethurst, Jr. and Eugenia C. Wootton, Assignees and Trustees as Principal, and the UNITED STATES FIDELITY AND GUARANTY COMPANY, a body corporate under the laws of the State of Maryland, as Surety, are held and firmly bound unto the State of Maryland in the full and just sum of One Hundred Twenty-Five Thousand Dollars and No Cents ——— Dollars ($ 125,000.00), to be paid to the said State or its certain Attorney, to which payment well and truly to be made and done, we bind ourselves and each of us, our and each of our heirs, executors, administrators, successors or assigns, jointly and severally, firmly by these presents.

Sealed with our seals and dated this 18th day of May, in the year of our Lord, nineteen hundred and eighty-three.

WHEREAS, the above bounden Raymond S. Smethurst, Jr. and Eugenia C. Wootton, Assignees and Trustees by virtue of the power contained in a mortgage from Richard W. Christy, Individually and T/A George A. Christy and Son, and Elva N. Christy to The Bank of Somerset bearing date the 10th day of December, 19 71 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 265 Folio 22; ~~and~~ in a mortgage from Richard W. Christy and Elva N. Christy to Bank of Somerset dated June 20, 1973 and recorded among the Land Records aforesaid in Liber I.T.P. No. 274, Folio 369; and in a Deed of Trust from Richard W. Christy, Individually and T/A George A. Christy and Son, Elva N. Christy, and George A. Christy and Son, Inc. to Alexander G. Jones and Robert L. Taylor, Trustees, dated May 23, 1975, and recorded among the Land Records aforesaid in Liber I.T.P. No. 337, Folio 405, and Raymond S. Smethurst, Jr. and Eugenia C. Wootton, Assignees and Trustees are about to sell the land and premises described in said mortgages and deed of trust default having been made in the payment of the money as specified, and in the conditions and covenants therein contained.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH that if the above bounden Raymond S. Smethurst, Jr. and Eugenia C. Wootton, Assignees and Trustees do and shall well and truly and faithfully perform the trust reposed in them under the mortgages and deed of trust aforesaid, and shall abide by and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of said mortgaged property, or the proceeds thereof, then the above obligation to be void; otherwise to be and remain in full force and virtue in law.

Signed, sealed and delivered

in the presence of

Paula M. Young

Raymond S. Smethurst (SEAL)
Raymond S. Smethurst, Jr., Assignee and Trustee

Eugenia C. Wootton (SEAL)
Eugenia C. Wootton, Assignee and Trustee

UNITED STATES FIDELITY AND GUARANTY COMPANY

By Geraldine H. Brimer
Geraldine H. Brimer, Attorney-in-Fact

THE WITHIN BOND APPROVED.

PER: J. Theodore Phoebus, CLERK.

(CERTIFIED COPY)

POWER OF ATTORNEY

No. 88044

Know all Men by these Presents:

That UNITED STATES FIDELITY AND GUARANTY COMPANY, a corporation organized and existing under the laws of the State of Maryland, having its principal office at the City of Baltimore, in the State of Maryland, does hereby constitute and appoint

Geraldine H. Brimer

of the City of Salisbury State of Maryland, its true and lawful attorney in and for the State of Maryland for the following purposes, to wit:

To sign its name as surety to, and to execute, seal and acknowledge any and all stipulations, bonds and/or undertakings, and to respectively do and perform any and all acts and things set forth in the resolution of the Board of Directors of the said UNITED STATES FIDELITY AND GUARANTY COMPANY, a certified copy of which is hereto annexed and made a part of this power of attorney; and the said UNITED STATES FIDELITY AND GUARANTY COMPANY, through us, its Board of Directors, hereby ratifies and confirms all and whatsoever the said

Geraldine H. Brimer

may lawfully do in the premises by virtue of these presents.

In Witness Whereof, the said UNITED STATES FIDELITY AND GUARANTY COMPANY has caused this instrument to be sealed with its corporate seal, duly attested by the signatures of its Vice-President and Assistant Secretary, this 5th day of August, A. D. 1977.

UNITED STATES FIDELITY AND GUARANTY COMPANY

(Signed) By Charles W. Boone
Vice-President.

(SEAL)

(Signed) George W. Lennon, Jr.
Assistant Secretary.

STATE OF MARYLAND, }
CITY OF BALTIMORE, } ss:

On this 5th day of August A. D. 1977, before me personally came Charles W. Boone Vice-President of UNITED STATES FIDELITY AND GUARANTY COMPANY, and George W. Lennon, Jr., Assistant Secretary of said Company, with both of whom I am personally acquainted, who being by me severally duly sworn, said that they resided in the City of Baltimore, Maryland, that they, the said Charles W. Boone and George W. Lennon, Jr were respectively the Vice-President and Assistant Secretary of the said UNITED STATES FIDELITY AND GUARANTY COMPANY, the corporation described in and which executed the foregoing power of attorney; that they each knew the seal of said corporation; that the seal affixed to said power of attorney was such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that they signed their names thereto by like order as Vice-President and Assistant Secretary, respectively of the Company.

My commission expires the first day in July, A. D. 1978

(SEAL) (Signed) Margaret M. Hurst
Notary Public.

STATE OF MARYLAND, }
CITY OF BALTIMORE, } ss:

I, Robert H. Bouse Clerk of Superior Court of Baltimore City, which Court is a Court of Record, and has a seal, do hereby certify that Margaret M. Hurst, Esquire, before whom the annexed affidavits were made, and who has thereto subscribed her name, was, at the time of so doing a Notary Public of the State of Maryland, in and for the City of Baltimore, duly commissioned and sworn and authorized by law to administer oaths, take acknowledgments, or proof of deeds to be recorded therein. I further certify that I am acquainted with the handwriting of the said Notary and verily believe the signature to be her genuine signature.

In Testimony Whereof, I hereto set my hand and affix the seal of the Superior Court of Baltimore City, the same being a Court of Record, this 5th day of August A. D. 1977

(SEAL) (Signed) Robert H. Bouse
Clerk of the Superior Court of Baltimore City.

FS 17 9-67

Bond Book No. 11, Page 225 BOOK 043 PAGE 585

Bond Book [illegible]

[illegible]

That Whereas, **it is necessary for the efficient [illegible] and attorneys with power and authority to act for it and in its name [illegible] and in the Territories of the United States and in the Provinces of the Dominion [illegible]**

Therefore, be it Resolved, **that this Company [illegible] for President or either of its Vice-Presidents in conjunction with its Secretary or [illegible] any person or persons as attorney or attorneys-in-fact, or agent or agents [illegible] and affix any and all contracts guaranteeing the fidelity of persons holding [illegible] the performance of contracts other than insurance policies and executing or guaranteeing [illegible] in all actions or proceedings, or by law allowed, and**

Also, **in its name and as its attorney or [illegible] the conditions of any and all bonds, recognizances, obligations, stipulations [illegible] either of the states, which are or may by law, municipal or otherwise, or by any [illegible] of the United States or of the Provinces of the Dominion of Canada or of the Colony of N[illegible] or discretion of any board, body, organization, office or officer, [illegible] to be entered, made, taken, given, tendered, accepted, filed or [illegible] by or for any person or persons, corporation, body, office interest, municipality or other [illegible] considered for the doing or not doing of anything or any condition [illegible] obligation, stipulation, or undertaking, or anything in the nature of either of the [illegible]**

I, W. J. D. Somerville, Jr. **, Assistant Secretary of UNITED STATES FIDELITY AND GUARANTY COMPANY, hereby certify that at a special meeting of the Board of Directors of said Company, duly called and held at the office of the Company, at the City of Baltimore, on the [illegible] day of [illegible], A. D. 1916, at which was present a quorum of said Directors, duly authorized to act in the premises, [illegible] said Company, of which resolutions the foregoing is a true copy and of the whole thereof.**

And I do further certify that the above and foregoing is a full, true and correct copy of the original power of attorney given by said Company to Geraldine H. Brimer

of Salisbury, Maryland **, authorizing and empowering** her **to [illegible] set forth, and that the said Power of Attorney is still in full force and effect as of this date.**

Given under my hand and the seal of said Company, at Baltimore, Maryland, this 18th **day of** May **A. D. 19**83

W J D Somerville jr

Assistant Secretary.

FILED

MAY 24 2 55 PM '83

RECORDED IN
LIBER NO _____ FOLIO ____
I, THEODORE PHOEBUS, CLK. CI. CT.
BY _____ DEPUTY

ADKINS, POTTS & SMETHURST
ATTORNEYS AT LAW
SIXTH FLOOR
ONE PLAZA EAST
P. O. BOX 671
SALISBURY, MARYLAND 21801
(301) 749-0161

E. DALE ADKINS, JR. (1915-1982)
RAYMOND S. SMETHURST, JR.
HENRY M. RUTLEDGE
ROBERT S. TAYLOR
SALLY D. ADKINS

JOHN C. SEIPP
EUGENIA C. WOOTTON

COUNSEL
CHARLES J. POTTS

May 24, 1983

Honorable Lloyd L. Simpkins
Circuit Court for Somerset County
Court House
Princess Anne, Maryland 21853

RE: Chancery No. 11,535

Dear Judge Simpkins:

In my letter to you of May 18, 1983, I indicated to you that if the property subject to the above-referenced foreclosure proceedings were sold for more than $104,000.00, we would file a new bond increasing the amount of the bond to the amount of the purchase price for the sale. The foreclosure sale was held on May 20, 1983, and items one, two, three, four and five described in the advertisement of sale filed in the above proceedings were sold for $206,000.00.

Items one and two were sold by Raymond S. Smethurst, Jr. and Eugenia C. Wootton, Assignees and Trustees, by virtue of the powers of sale contained in two mortgages and a deed of trust described in the above proceedings. Items three and four were sold by Joshua W. Miles and First National Bank of Maryland, Trustees. Item five was offered for sale by Lester A. Simpson, Trustee in Bankruptcy. Based on an allocation of the purchase price for Items one, two, three, four and five, the purchase price for items one and two was $116,348.80. Please refer to the Report of Sale filed herein for details concerning the allocation of the purchase price to the various parcels.

We are therefore increasing the amount of the bond to $125,000.00, to cover the purchase price of Items one and two as well as the expenses of the sale. The bond filed in the amount of $125,000.00 was effective retroactively, as of May 18, 1983, the date the first bond was filed. Please release the prior bond in the amount of $104,000.00 to the undersigned.

5/25/83
O.K.
L. L. Simpkins

Very truly yours,

Eugenia C. Wootton

Eugenia C. Wootton

ECW:la
13713

2/7/3

BOOK 048 PAGE 588

Trust Division

First National Bank
OF MARYLAND

POST OFFICE BOX 1596 BALTIMORE, MARYLAND 21203
WRITER'S DIRECT DIAL NUMBER
301-244-4605

February 4, 1983

Raymond S. Smethurst, Jr., Esquire
One Plaza East
6th Floor
P.O. Box 671
Salisbury, Maryland 21801

RE: Richard Christy Commercial Property

Dear Steve:

This will confirm our conversation yesterday during which I agreed to the cooperative marketing effort we have been discussing for sometime on the Richard Christy property. I have discussed the proposal with Josh Miles, our co-trustee, and he is in full agreement.

It is my understanding that Peninsula Bank has agreed to a split of the proceeds and expenses based upon the allocation derived by the two appraisals that were done by Michael J. Hynes. This provides a breakdown of 42% for the trust and 58% for Peninsula Bank.

It would appear to me that the most equitable approach would be to apply this percentage to the gross sales price and any common cost of undertaking the sale or auction, but should not carry over to such items as reimbursement of property taxes paid or such other items attributable only to the individual properties. Under this proposal, we would not simply allocate the net proceeds after settlement, but would allocate on an ownership basis such individual items as the property taxes. We also need to resolve the question of getting control of that portion of the property which is owned by the estate of Richard Christy so that good title can be conveyed.

EXHIBIT A

We are in full agreement to proceed with the concept of an auction with an anticipated sale date towards the end of March. In that regard, I believe you are going to present me with a list of suggested appraisers, their fees and your suggestions as to the other items which we discussed such as the upset price, the amount and type of advertising, etc. If the above is acceptable to Peninsula Bank, please drop me a note indicating their consent.

Sincerely,

C. James Pailthorp
Vice President

CJP:jlb/8965F

cc: Joshua Miles, Esquire

RAYMOND S. SMETHURST, JR. and EUGENIA C. WOOTTON, Assignees and Trustees	*	NO. 11,535 CHANCERY
	*	IN THE CIRCUIT COURT
Plaintiffs	*	FOR SOMERSET COUNTY
v.	*	
RICHARD W. CHRISTY, et al.	*	STATE OF MARYLAND
Defendants	*	

* *

AFFIDAVIT BY PURCHASER

STATE OF MARYLAND,
COUNTY OF Somerset :

I, FRANK W. PRESTO being duly sworn, do hereby testify that I have personal knowledge of the following facts, that they are true and correct and that I am competent to tetify to the same:

1. That I attended the public sale of the property described as Items One, Two, Three, Four, and Five as described in the advertisement of the Assignee's and Trustee's Sale of Waterfront Commercial Property and Refrigeration Equipment known as Geo. A. Christy & Son Seafood Plant on the Little Annamessex River in Crisfield, Maryland, which sale was held in Crisfield, Maryland on May 20, 1983, and purchased the same for the sum of $206,000.00 Dollars ($_____).

2. That I was acting: (check applicable capacity)

___a. as principal in making said purchase.
✓ b. as agent for Frank Seafood as sole principal in making said purchase and not as agent for any other person, firm or corporation.

3. That no other person, firm or corporation is interested, as principal or otherwise, in said purchase.

4. That neither I, nor any principal of mine, directly or indirectly, discouraged in any manner anyone from bidding for said property.

Frank W. Prest
Purchaser

Subscribed and sworn to before me this 20th day of May, 1983.

Sheila L. Tomlwad
Notary Public

SHEILA L. TOMLWAD NOTARY PUBLIC SOMERSET CO., MD.

My commission expires:
Jan 1, 1986

BOOK 048 PAGE 592

RAYMOND S. SMETHURST, JR. and EUGENIA C. WOOTTON, Assignees and Trustees	*	NO. 11,535 CHANCERY
	*	IN THE CIRCUIT COURT
Plaintiffs	*	FOR SOMERSET COUNTY
v.	*	
RICHARD W. CHRISTY, et al.	*	STATE OF MARYLAND
Defendants	*	

* *

AUCTIONEER'S AFFIDAVIT

I HEREBY certify that at the request of the Assignees and Trustees appointed in the captioned proceedings that I offered the property described as Items One, Two, Three, Four, and Five in the annexed advertisement for Assignee's and Trustee's Sale at the premises in Crisfield, Somerset County, Maryland on May 20, 1983, and sold the said property to Frank W. Prestr as agent for Irving Seafood Inc at and for the sum of Two hundred six thousand dollars Dollars ($206,000) the said buyer(s) being at that price the highest bidder(s) therefor; and that I have not paid and will not pay, directly or indirectly, any sum or consideration for employing me or for aiding to employ me to make such sale.

By: Peter E. Richardson
Auctioneer

Subscribed and sworn to before me this 20th day of May, 1983.

Sheila T. Ford Ward
Notary Public

My commission expires:
July 1, 1986

RAYMOND S. SMETHURST, JR. and EUGENIA C. WOOTTON, Assignees and Trustees	*	NO. 11,535 CHANCERY
	*	IN THE CIRCUIT COURT
Plaintiffs	*	
	*	FOR SOMERSET COUNTY
v.	*	
RICHARD W. CHRISTY, et al.	*	STATE OF MARYLAND
Defendants	*	

* *

REPORT OF SALE

Under and by virtue of the power of sale contained in (1) a mortgage from Richard W. Christy, individually and t/a George A. Christy & Son, and Richard W. Christy and Elva N. Christy, his wife, to the Bank of Somerset dated December 10, 1971, and recorded among the Land Records of Somerset County in Liber I.T.P. No. 265, Folio 22, which mortgage has been assigned to Raymond S. Smethurst, Jr. and Eugenia C. Wootton by assignment dated April 14, 1983, and recorded among the Land Records of Somerset County in Liber I.T.P. No. 337, Folio 403; (2) a mortgage from Richard W. Christy and Elva N. Christy to the Bank of Somerset dated June 20, 1973, and recorded among the Land Records of Somerset County in Liber I.T.P. No. 274, Folio 369, which mortgage has been assigned to Raymond S. Smethurst, Jr. and Eugenia C. Wootton by assignment dated April 14, 1983, and recorded among the Land Records of Somerset County in Liber I.T.P. No. 337, Folio 404; and (3) a deed of trust from Richard W. Christy, individually and t/a George A. Christy & Son, Richard W. Christy and Elva N. Christy, his wife, and George A. Christy & Son, Inc., to Alexander G. Jones and Robert L. Taylor, Trustees, dated May 23, 1975, and recorded among the Land Records of

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Somerset County in Liber I.T.P. No. 287, Folio 149, Raymond S. Smethurst, Jr. and Eugenia C. Wootton having been appointed substitute trustees by deed of appointment dated March 14, 1983, and recorded among the Land Records of Somerset County in Liber I.T.P. No. 337, Folio 405, default having been made in the payment of the monies secured to be paid by said mortgages and deed of trust and in the payment of interest thereon, and in other covenants and conditions of said mortgages and deed of trust, the undersigned assignees and trustees did proceed to sell that portion of the property secured by said mortgages and deed of trust that is described below (the "mortgaged property") in the following manner.

First, the undersigned examined the title to the mortgaged property and discovered that there was no legally enforceable right-of-way from the mortgaged property across or through property belonging to Joshua W. Miles and First National Bank of Maryland, Trustees, to the nearest public road, Harbor Drive. Accordingly, the undersigned negotiated an agreement with the Trustees whereby their land and the mortgaged property could be sold together as a single parcel and the proceeds divided pro-rata based upon contemporaneous appraisals thereof that had been made by the same appraiser, Michael J. Hynes. A copy of a letter to one of the undersigned from First National Bank of Maryland dated February 4, 1983 reflecting that agreement is attached hereto as Exhibit A.

Second, the undersigned discovered that a small parcel of land contiguous to the mortgaged property approximately 20' x 150' was neither covered by the mortgages and deed of trust or owned by the aforesaid Trustees but was still in the ownership of one of the obligors, Richard W. Christy, who in the interim had

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filed bankruptcy proceedings in the U. S. Bankruptcy Court for the District of Maryland. Believing that the sales price for the mortgaged property would be enhanced if this small parcel were included in the sale, the undersigned concluded an agreement with Lester A. Simpson, Trustee in Bankruptcy, to place this parcel of land in the foreclosure sale for an agreed-upon consideration of $3,131.20, which represented the same square foot value assigned to the mortgaged property and the trust property by the appraiser. This agreement with the Trustee in Bankruptcy was ratified and approved by the Bankruptcy Court by an Order dated April 28, 1983.

Third, the undersigned obtained an Order of the Bankruptcy Court dated May 12, 1983 lifting the automatic stay.

After giving notice of the time, place, manner and terms of sale by advertisement in the Daily Times, a daily newspaper published in Wicomico County, for Wicomico and Somerset Counties, for at least once each week for three successive weeks before the day of sale, the first such publication having been published not less than fifteen days prior to sale and the last such publication having been published not more than one week prior to sale, all as will appear by reference to the Certificate of Publication of said notice of sale, and after having given bond with security for the faithful performance of their trust and after having complied with all other prerequisites as required by law and the said powers contained in said mortgages and deed of trust, the undersigned did, pursuant to said notice, attend at the premises in Crisfield, Maryland, on Friday, May 20, 1983, at 12 o'clock noon, and, then and there, proceeded to sell the real estate described as Items One and Two in said advertisement, in the manner following, that is to say:

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SALISBURY, MD. 21801

Your Assignees and Trustees offered, at public auction, to the highest bidder or bidders, the property mentioned as Items One and Two described in the aforesaid advertisement of sale, said property being more particularly described as follows:

Item One: All that tract or parcel of land situate in the Town of Crisfield, Crisfield Election District, Somerset County, State of Maryland, in that part of said town known as "Jersey", being bounded on the northeast and southwest by the Little Annamessex River and more particularly described as follows: Beginning for the same at a point shown by the letter "A" on plat hereinafter referred to, said point being the southeasterly corner of the property hereby conveyed and binding on other lands of the said Richard W. Christy; running thence by and with other lands of Richard W. Christy South 44° 25' West 141.0 feet through the letter "B" on said plat to a 3" x 12" cap log as shown on said plat and the Little Annamessex River; running thence by and with said River North 34° 15' West a distance of 122.0 feet; thence continuing by and with said River along an existing bulkhead line North 35° 35' East a distance of 145.62 feet to lands now or formerly owned by Harry Spear and others; running thence by and with said Spear lands South 34° 52' East a distance of 144.50 feet to the point of beginning; being in all respects the same property shown on a plat entitled "Plat of Lands to be Conveyed to Richard Christy from Mrs. Olive Christy" dated January 15, 1969, prepared by W. Ballard Miles, Registered Surveyor, and recorded among the aforesaid Land Records in Liber I.T.P. No. 249, Folio 476; and being the same land which was conveyed unto Geo. A. Christy & Son, Inc. by Richard W. Christy and Elva N. Christy by Parcel 1 on a deed dated January 15, 1975 and recorded among the Land Record in Liber I.T.P. No. 286, Folio 211.

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Item Two: All that lot or parcel of land situate in Crisfield Election District, Somerset County, State of Maryland, in that part of Crisfield known as "Jersey", beginning for the same at an iron pipe at a point North 61° 10' East 114 feet from the northwest corner of the Crisfield Realty property; thence North 31° 13' West approximately 170 feet to a cement post and the land of Olive Christy; thence by and with the said Olive Christy land South 59° 20' West 111.6 feet to the Little Annamessex River; thence by and with the said Little Annamessex River South 30° 06' East approximately 170 feet to the northwest corner of the Crisfield Realty property; thence by and with the Crisfield Realty property North 61° 10' East 114 feet to the place of beginning, and being the same land conveyed unto Geo. A. Christy & Son, Inc. by Richard W. Christy and Elva N. Christy by Parcel 2 of a deed dated January 15, 1975 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 286, Folio 211.

At the same time and place aforesaid Joshua W. Miles and First National Bank of Maryland, Trustees, offered, at public auction, to the highest bidder or bidders Items Three and Four as described in said advertisement in the Daily Times; and at the same time and place aforesaid, Lester A. Simpson, Trustee in Bankruptcy, offered at public auction, to the highest bidder of bidders Item Five as described in said advertisement in the Daily Times.

And the said Raymond S. Smethurst, Jr. and Eugenia C. Wootton, Assignees and Trustees, Joshua W. Miles and First National Bank of Maryland, Trustees, and Lester A. Simpson, Trustee in Bankruptcy, sold the above described Items One, Two,

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SALISBURY, MD. 21801

Three, Four and Five together as a single parcel, to Frank W. Presto, agent for Frank's Seafood, at and for the sum of $206,000.00; he being at that sum the highest bidder therefor, and the said purchaser has complied with the terms of sale by making a deposit of $20,000.00 by check and agreeing to pay the balance of $186,000.00, together with interest thereon at the rate of 10% per annum, upon final ratification of said sale. The portion of the aforesaid purchase price of $206,000.00 allocable to Items One and Two aforesaid, which were sold by Raymond S. Smethurst, Jr. and Eugenia C. Wootton, Assignees and Trustees, pursuant to the aforesaid powers of sale, is $116,348.80 determined as follows:

Gross sales price	$206,000.00
Portion allocated to mortgaged property per agreement with Joshua W. Miles and First National Bank of Maryland, Trustees (58%)	119,480.00
Less: portion thereof allocated to unencumbered small parcel owned by Richard W. Christy, bankrupt	3,131.20
Net proceeds representing sale of mortgaged premises	$116,348.80

Respectfully submitted,

Raymond S. Smethurst, Jr., Assignee and Trustee

Eugenia C. Wootton, Assignee and Trustee

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ONE PLAZA EAST
SALISBURY, MD. 21801

RAYMOND S. SMETHURST, JR. and EUGENIA C. WOOTTON, Assignees and Trustees	*	NO. 11,535 CHANCERY
	*	IN THE CIRCUIT COURT
Plaintiffs	*	
	*	FOR SOMERSET COUNTY
v.	*	
RICHARD W. CHRISTY, et al.	*	STATE OF MARYLAND
Defendants	*	

* * * *

RAYMOND S. SMETHURST, JR. and EUGENIA C. WOOTTON, Assignees and Trustees	*	NO. 11,535 CHANCERY
Plaintiffs	*	IN THE CIRCUIT COURT
v.	*	FOR SOMERSET COUNTY
RICHARD W. CHRISTY, et al.	*	STATE OF MARYLAND
Defendants	*	

* *

PETITION FOR REMOVAL OF BOND

The plaintiffs beg leave of the Court to withdraw the original bond in the amount of $105,000.00 filed in the above-entitled case, a second bond having been filed herein in the amount of $125,000.00, and the latter bond being effective as of May 18, 1983.

Eugenia C. Wootton

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& SMETHURST
SIXTH FLOOR
ONE PLAZA EAST
SALISBURY, MD. 21801

RAYMOND S. SMETHURST, JR. and EUGENIA C. WOOTTON, Assignees and Trustees	*	NO. 11,535 CHANCERY
	*	IN THE CIRCUIT COURT
Plaintiffs	*	FOR SOMERSET COUNTY
v.	*	
RICHARD W. CHRISTY, et al.	*	STATE OF MARYLAND
Defendants	*	

* *

ORDER

Upon consideration of the aforegoing Petition For Removal Of Bond, it is hereby ordered this 25th day of May, 1983, that the bond in the amount of $105,000.00 filed herein be removed and returned to the plaintiffs.

Lloyd L. Smithson
JUDGE

BOOK 048 PAGE 601

BOOK 048 PAGE 602

RAYMOND S. SMETHURST, JR. and EUGENIA C. WOOTTON, Assignees and Trustees	*	NO. 11,535 CHANCERY
	*	IN THE CIRCUIT COURT
Plaintiffs	*	
v.	*	FOR SOMERSET COUNTY
RICHARD W. CHRISTY, et al.	*	STATE OF MARYLAND
Defendants	*	

* * * \

RAYMOND S. SMETHURST, JR. and EUGENIA C. WOOTTON, Assignees and Trustees	*	NO. 11,535 CHANCERY
	*	IN THE CIRCUIT COURT
Plaintiffs	*	FOR SOMERSET COUNTY
v.	*	
RICHARD W. CHRISTY, et al.	*	STATE OF MARYLAND
Defendants	*	

* *

CERTIFICATE OF PUBLICATION

CERTIFICATE OF PUBLICATION

Salisbury, Md. July 5, 1983

We hereby certify that the annexed Order Nisi - Richard Christy was published in THE DAILY TIMES on June, 1, 8, 15, 1983

Thomson Newspapers, Inc.
Publishers of The Daily Times

RAYMOND S. SMETHURST, JR., and EUGENIA C. WOOTTON, Assignees and Trustees
Plaintiffs
VS.
RICHARD W. CHRISTY, et al.
Defendants
No. 11,535 Chancery
In The Circuit Court
For Somerset County
State of Maryland

ORDER NISI

ORDERED by the Circuit Court for Somerset County, State of Maryland, in Equity, this 25th day of May, in the year Nineteen Hundred and Eighty-Three, that the sale of Items One and Two described in these proceedings made and reported by Raymond S. Smethurst, Jr. and Eugenia C. Wootton, Assignees and Trustees, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 24th day of June, 1983, provided a copy of this Order be inserted in some newspaper published and circulated in Somerset County once in each of three (3) successive weeks before the 20th day of June, 1983.

The Report states the amount of the sale of Items One and Two aforesaid to be One Hundred Sixteen Thousand Three Hundred and Forty-Eight Dollars and Eighty Cents ($116,348.80).

I. Theodore Phoebus
Clerk

True copy, Test:
I. Theodore Phoebus
Clerk
6/1,8,15

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ONE PLAZA EAST
SALISBURY, MD. 21801

RAYMOND S. SMETHURST, JR. and EUGENIA C. WOOTTON, Assignees and Trustees	*	NO. 11,535 CHANCERY
	*	IN THE CIRCUIT COURT
Plaintiffs	*	FOR SOMERSET COUNTY
v.	*	
RICHARD W. CHRISTY, et al.	*	STATE OF MARYLAND
Defendants	*	

* *

FINAL ORDER OF RATIFICATION

ORDERED by the Circuit Court for Somerset County, State of Maryland, in Equity, this 8th day of July, 1983, that the sale made and reported by the Assignees and Trustees aforesaid be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown, although due notice appears to have been given as required by the Order Nisi passed in said cause and the said Assignees and Trustees are allowed the usual commissions or fees and such proper expenses as they shall produce vouchers therefor.

Lloyd L. Sutton
JUDGE

RAYMOND S. SMETHURST, JR. and EUGENIA C. WOOTON, Assignees and Trustees	*	NO. 11,535 CHANCERY
	*	IN THE CIRCUIT COURT
Plaintiffs	*	FOR SOMERSET COUNTY
vs.	*	STATE OF MARYLAND
RICHARD W. CHRISTY, et al	*	
Defendant	*	
	*	

FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he made an examination of the proceedings in the above entitled cause and from them and the list of expenses furnished him therein, states the following Account:

Sale			
Real Property		$119,480.00	
Personal Property		26,569.50	
Interest from date of sale to date of settlement		1,986.16	
Total Amount of Sale			$ 148,035.66
Fees, Costs, Expenses, Etc.:			
City of Crisfield, Taxes (parcel 14) Seller's Share	1981-82	497.10	
	1982-83 -	417.24	
Parcel 15 Seller's Share	1981-82	535.23	
	1982-83 -	394.85	
State and County Taxes (parcel 14) Seller's Share	1981-82	615.15	
	1982-83 -	541.35	
Parcel 15 Seller's Share	1981-82	649.96	
	1982-83	521.42	
Peter Richardson, Auctioneer - Fee			
Personal Property		797.09	
Real Property		3,584.40	
Peter Richardson, Auctioneer - Expenses			
Advertising, etc.		1,312.05	
I. Theodore Phoebus, court costs		360.00	
Avery W. Hall Insurance, Bond		500.00	
Daily Times		71.28	
Crisfield Times		39.20	
Logan C. Widdowson, Auditor		65.00	
Lester A. Simpson, Trustee		3,131.20	
Total Fees, Costs, Expenses, Etc.			14,032.52
Balance to be Distributed			$ 134,003.14

LOGAN C. WIDDOWSON
ATTORNEY AT LAW
NORTH SOMERSET AVENUE
PRINCESS ANNE, MD. 21853
651-2800

BOOK 048 PAGE 606

Statement of Mortgage Debt

Debts on Mortgages and Deed of Trust per Statement of Debt filed on May 16, 1983	$549,719.81	
Deficit		$ 415,716.67

ALL EXCEPTIONS to said report must be filed within fifteen (15) days of the date of filing; if not exceptions are filed, the account may be ratified.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing on the date of the filing of the Audit notice of this report to the following parties by regular U.S. mail:

June Miles Christy
Cullen Parkway
Crisfield, Maryland 21817

Eugenia C. Wooton,
Attorney-at-Law
Law Offices of Adkins, Potts & Smethurst
Sixth Floor, One Plaza East
P.O. Box 671
Salisbury, Maryland 21801

Date of Filing: July 28, 1983

Logan C. Widdowson, Auditor

LOGAN C. WIDDOWSON
ATTORNEY AT LAW
NORTH SOMERSET AVENUE
PRINCESS ANNE, MD. 21853
651-3800

LCW/gjb
7/28/83
83 # 140

FILED

JUL 28 3 07 PM '83

RECORDED IN
LIBER NO _____ FOLIO ____
THEODORE THOBEUS, CLK. CI. CT.
BY _____ DEPUTY

No. 11,535 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 28th day of July, 19 83 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the 12th day of August, 19 83.

L. Theodore Phebus
CLERK

No exceptions having been filed, and no cause to the contrary having been shown, IT IS ORDERED by the Circuit Court for Somerset County, in Equity, this _____ day of _____, 19_____ that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

_____
CLERK

RAYMOND S. SMETHURST, JR. and EUGENIA C. WOOTON, Assignees and Trustees	*	NO. 11,535 CHANCERY
	*	IN THE CIRCUIT COURT
Plaintiffs	*	FOR SOMERSET COUNTY
vs.	*	STATE OF MARYLAND
RICHARD W. CHRISTY, et al	*	
Defendants	*	BOOK 043 PAGE 608
	*	

AMENDED AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he made an examination of the proceedings in the above entitled cause and from them and the list of expenses furnished him therein, states the following Account:

Sale			$ 119,480.00
Personal Property			26,569.50
Interest from date of sale to settlement			1,986.16
Total Amount of Sale			$ 148,035.66
Fees, Costs, Expenses, etc.:			
City of Crisfield Taxes	1981-82	497.10	
Parcel 14 - Seller's Share	1982-83	417.24	
Parcel 15	1981-82	535.23	
Seller's Share	1982-83	394.85	
State and County Taxes	1981-82	615.15	
Parcel 14 Seller's Share	82-83	541.35	
Parcel 15	1981-82	649.96	
Seller's Share	1982-83	521.42	
Water and Sewer:			
Parcel 14 - Seller's Share		734.62	
Parcel 15 - Seller's Share		752.62	
Personal Property Tax:			
Parcels 14 and 15 - City		630.70	
County		988.63	
Pete Richardson, Auctioneer - Fee			
Personal Property		797.09	
Real Property		3,584.40	
Pete Richardson, Auctioneer - Expenses			
Advertising, etc.		1,312.05	
I. Theodore Phoebus, court costs		366.00	
Avery W. Hall Insurance, Bond		500.00	
Daily Times		71.28	
Crisfield Times		39.20	
Logan C. Widdowson, Auditor		65.00	
Lester A. Simpson, Trustee		3,131.20	
Total Fees, Costs, Expenses, etc.			$ 17,145.09
Balance to be Distributed			$ 130,890.57

LOGAN C. WIDDOWSON
ATTORNEY AT LAW
NORTH SOMERSET AVENUE
PRINCESS ANNE, MD. 21853
651-3800

Statement of Mortgage Debt

Debts on Mortgages and Deed of Trust
per Statement of Debt filed on May 16, 1983 $ 549,719.81

Deficit $ 418,829.24

ALL EXCEPTIONS to said report must be filed within fifteen (15) days of the date of filing; if no exceptions are filed, the account may be ratified.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing on the date of the filing of the Audit notice of this report to the following parties by regular U.S. mail:

June Miles Christy
Cullen Parkway
Crisfield, MD 21817

Thomas L. Lilly, Esq.
111 Baptist Street
Salisbury, MD 21801

Eugenia C. Wooton,
Attorney-at-Law
Sixth Floor,
One Plaza East
P.O. Box 671
Salisbury, MD 21801

Logan C. Widdowson, Auditor

Date of Filing: August 3, 1983

LOGAN C. WIDDOWSON
ATTORNEY AT LAW
NORTH SOMERSET AVENUE
PRINCESS ANNE, MD. 21853
651-3800

LCW/gjb
8/3/83
83 # 141

BOOK 048 PAGE 610

No. 11535 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 5th day of August, 19 83 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the 20th day of August, 19 83.

CLERK

No exceptions having been filed, and no cause to the contrary having been shown, IT IS ORDERED by the Circuit Court for Somerset County, in Equity, this 23rd day of August, 19 83 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

L. Theodore Gherkins

CLERK

MAR 22 1984

End.

SEP 28-81 B 029096D*****10.00
SEP 28-81 B 029095D*****60.00

In the Matter of the Foreclosure of a Mortgage from David E. Bell and Jane M. Bell,	:	NO. 11163 CHANCERY
	:	IN THE CIRCUIT COURT FOR
	:	SOMERSET COUNTY, MARYLAND
Ex Parte	:	

: : : : : : : :

ORDER TO DOCKET

MR. CLERK:

Please docket suit as above, file the attached mortgage for foreclosure, file the Affidavit of Debt.

Thomas J. Spain
51 N. Somerset Ave.
Princess Anne, Md. 21853
651-1400

FOR MORTGAGE SEE LIBER ITP NO. 298 PAGE 583

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

BOOK 043 PAGE 612

In the Matter of the Foreclosure of a Mortgage from David E. Bell and Jane M. Bell	:	NO. 11,163 CHANCERY
	:	IN THE CIRCUIT COURT FOR
	:	SOMERSET COUNTY, MARYLAND
Ex Parte	:	

: : : : : :

AFFIDAVIT OF DEBT

STATE OF MARYLAND, COUNTY OF SOMERSET, SS:

I hereby certify that on this 28th day of September 1981, before me, the subscriber, a notary public in and for the state and county aforesaid, personally appeared Thomas J. Spain, Agent for David T. Myles and Quindora Myles, owners of the mortgage from David E. Bell and Jane M. Bell dated February 22nd, 1977 and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 298, folio 583 et seq., who first being duly sworn according to law, deposes and says that there is justly due and owing on said mortgage the sum of Seventeen Thousand Two Hundred One Dollars and Twenty-five Cents [$17,201.25] principal with interest thereon at the rate of eight percentum per annum in the amount of Two Hundred Ninety Dollars and Twenty-nine Cents [$290.29] to September 28, 1981, and at $3.77 per diem thereafter.

As Witness my hand and Notarial Seal.

Jean Taylor
Notary Public

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

WORKSHEET

Principal due on Mortgage as of July 13, 1981	$ 17,201.25
Interest July 14, 1981 to September 28, 1981 77 days at $3.77 per diem	290.29
Total Principal and Interest as of September 28, 1981	$ 17,491.54

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

BOOK 043 PAGE 614

In the Matter of the Foreclosure of a Mortgage from David E. Bell and Jane M. Bell,	:	NO. 11,163 CHANCERY
	:	IN THE CIRCUIT COURT FOR
Ex Parte	:	SOMERSET COUNTY, MARYLAND

: : : : : : :

AFFIDAVIT

STATE OF MARYLAND, COUNTY OF SOMERSET, SS:

I do hereby certify that on this 9th day of October 1981, before me, the subscriber, a notary public in and for the state and county aforesaid, personally appeared Thomas J. Spain, and he did depose and say:

That on October 1, 1981, he did mail an exact copy of the advertisement of sale in the above matter to: David E. Bell, 3710 Warren Street, N.W., Washington, D.C. 20016 and to Jane M. Bell, 3710 Warren Street, N.W., Washington, D.C. 20016, by certified mail as required by Rule W74(b).

Jean Taylor
Notary Public

NOTARY PUBLIC SOMERSET COUNTY, MD.

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

In the Matter of the Foreclosure of a Mortgage from David E. Bell and Jane M. Bell	:	No. 11,163 CHANCERY
	:	IN THE CIRCUIT COURT FOR
Ex Parte	:	SOMERSET COUNTY, MARYLAND
	:	

: : : : : :

NOTICE OF BANKRUPTCY

Comes now the defendant, David E. Bell, by and through his counsel, Henry T. Keegan, and hereby files a notice of bankruptcy, and states that all further action upon the above captioned case is stayed for the following reasons:

1. That on the 20th day of October, 1981, pursuant to 11 USC Section 301 the above named defendant, David E. Bell filed a voluntary petition under Chapter 11 of the U.S. Bankruptcy Code (1978) in the U.S. Bankruptcy Court for the District of Columbia, said case being docketed as Case No. 81-00587. The commencement of the bankruptcy case aforementioned constitutes an order for relief under the Bankruptcy Code.

2. The debt upon which the instant case is premised has been duly scheduled in the said Bankruptcy, and due notice by the Bankruptcy Court of the pendency of such case will be given to the plaintiff herein.

3. In accordance with the provisions of 11 USC Section 362, and Bankruptcy Rule 401 (Stay of Actions), all further proceedings and actions in the instant action are stayed.

Henry T. Keegan, Counsel for Deft.
MILLER, LOEWINGER & ASSOCIATES CH
3598 South River Terrace
Edgewater, Md. 21037
(202) 789-2382

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice of Bankruptcy was hand delivered to Thomas S. Simpkins, Esquire this 20th day of October, 1981.

Henry T. Keegan

MILLER, LOEWINGER
& ASSOCIATES,
CHARTERED
471 H STREET, N. W.
WASHINGTON, D C 20001
789-2382

BOOK 043 PAGE 616

UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF COLUMBIA

*In re DAVID EUGENE BELL
DAVID E. BELL
BELL PROPERTIES

Debtor

CASE NO. 81-00587

CHAPTER 11

Include here all names used by debtor within last 6 years.

FILED
OCT 23 1981
Thomas J. Plawski, Clerk
U.S. Bankruptcy Court for D.C.

VOLUNTARY CASE: DEBTOR'S PETITION

1. Petitioner's post-office address is

3710 Warren Street,
Washington D.C. 20016

2. Petitioner has
[X] resided within this district for the preceding 180 days.
[X] had a domicile within this district for the preceding 180 days.
[X] had a principal place of business within this district for the preceding 180 days.
[X] resided or been domiciled or had a principal place of business within this district for a longer portion of the preceding 180 days than in any other district.

3. Petitioner is qualified to file this petition and is entitled to the benefits of title 11, United States Code as a voluntary debtor.

4. [ ] A copy of petitioner's proposed plan dated 19 is attached.
[X] Petitioner intends to file a plan pursuant to chapter 11 of title 11, United States Code.

5. ~~Exhibit A accounts to be submitted~~

Wherefore, petitioner prays for relief in accordance with chapter 11 of title 11, United States Code.

Signed: [signature]
Petitioner(s) signs if not represented by attorney

Petitioner

Petitioner

Address: Henry T. Keegan, Attorney At Law
MILLER, LOEWINGER & ASSOC CH.
471 H Street, N.W.
Washington D.C. 20001
Tel: (202) 789-2382

DECLARATION

INDIVIDUAL: I, David E. Bell the petitioner named in the foregoing petition, certify under penalty of perjury that the foregoing is true and correct.

JOINT INDIVIDUALS: We, and the petitioners named in the foregoing petition, certify under penalty of perjury that the foregoing is true and correct.

CORPORATION: I, the of the corporation named as petitioner in the foregoing petition, certify under penalty of perjury that the foregoing is true and correct, and that the filing of this petition on behalf of the corporation has been authorized.

PARTNERSHIP: I, *a member* *an authorized agent* of the partnership named as petitioner in the foregoing petition, certify under penalty of perjury that the foregoing is true and correct, and that the filing of this petition on behalf of the partnership has been authorized.

Executed on OCTOBER 18, 1981 Signature: [signature]
Petitioner

Petitioner

Form No. 1 & 2 (Official B 5, chapter 11 Voluntary case: debtor's petition individual, joint, corporation and partnership. Rev. 10/79)

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© 1979 JULIUS BLUMBERG, INC.

UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF COLUMBIA

81-0087

In re DAVID EUGENE BELL
DAVID E. BELL
BELL PROPERTIES
Debtor

CASE NO.

LIST OF CREDITORS*

	Creditors Name and Address, Include Zip Code	Amount of Claim	Character of Claim and Security	Disputed	Contingent
1	Dr. William S. Anderson 5300 Westbard Ave. Bethesda, Maryland	150.00	Medical services		x
2	Associated Refuse 6500 Dower House Road Upper Marlboro, Maryland	250.00	Trash service		x
3	Boise Cascade P.O. Box 343 c/o Richard Phillips Snow Hill, Md. 21863	7,000.00	Mortgae on real property		x
4	Joseph Brewer 1537 West Peirson Street Phoenix, Arizona 85015	22,816.00	Mortgage on real property		x
5	William Brewer 6443 Western Ave. N.W. Washington D.C.	2,625.00	Private loan		x
6	Chesapeake & Potomac Telehone Co. 925 13th Street, N.W. Washington D.C.	220.00	Telephone service		
7	Choptank Electric Pokomoke, Md.	30.00	Electricity supplied		
8	Sam Cofer 323 Georgia Ave. N.W. Washington D.C.	85,000.00	Mortgage on real estate		
9	Columbus Landings P.O. Box 143 Attn Paula Young Ft. Lauderdale, FL 33302	2,100.00	Mortgage on real property		
10	Computer Procedures P.O. Box 1376 Wheaton, Maryland 20902	26,000.00	Mortgage on real property	x	
11	First American Bank 1325 G Street N.W. Washington D.C.	475.00	Business Loan		
12	Florida Heritage Properties 1680 Northeast 135 St Suite 100W North Miami, FL 33181	6,032.00	Mortgage on real property		
13	Green Valley 5 & 8 1600 Ventura Blvd. Encino, CA 91463	7,256.00	Mortgage on real property		
14	Green Valley Armrheim 1806 N. Bourne Rd. Baltimore, Md. 21239	5,000.00	Mortgage on real property		
15	Hessick Oil 33 New York Ave. N.E. Washington D.C. 20002	7,242.00	Oil service		
16	HUD c/o Louise Morgan 1875 Connecticut Ave. N.W. Washington D.C. 20009	26,350.00	Property improvement loan		
17	Myles, David Box C-45, White Sulphur Springs West Virginia, 24986	17,600.00	Mortgage on real property		
18	Medlin, Ken 6801 Allentown Rd. Camp Spring, Md. 20031	8,500.00	Roofing contract		
19	Mennelstein, David 13975 Connecticut Ave. Silver Spring, Md. 20906	3,197.00	Accounting services		
20	Metropolitan Roofing 1032 North Garfield St. Arlington, Va. 22201	4,830.00	Roofing contract		
21	Miller, Loewinger & Associates, Ch. 471 H Street, N.W. Attn: H. Keegan Washington D.C. 20001	10,000.00	Legal services		

FILED
OCT 30 1981
Nancy A. Piwowski, Clerk
U.S. Bankruptcy Court for D.C.

UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF COLUMBIA

In re DAVID EUGENE BELL
DAVID E. BELL
BELL PROPERTIES
Debtor

CASE NO.

LIST OF CREDITORS*

	Creditor's Name and Address, Include Zip Code	Amount of Claim	Character of Claim and Security	Partially	Wholly
1	National Bank of Washington 5701 Connecticut Ave. N.W. Washington D.C. 20016	5,200.00	Property Improvement loan		X
2	National Permanent Federal S & L 1775 Pennsylvania Ave. N.W. Washington D.C. 20006	95,000.00	Mortgage on real property		X
3	North Carolina Mutual Ins. Co, Mutual Plaza Durham, N.C. 27701	63,000.00	Mortgage on real property		X
4	P.E.P.C.O. 1900 Pennsylvania Ave. N.W. Washington D.C. 20006	34,000.00	Electric service		X
5	Perpetual American S & L 8700 Georgia Ave. Silver Spring, Md.	32,000.00	Mortgage on real property		X
6	Publishers Clearing House 382 Channel Drive Fort Washington N.Y. 11050	45.00	Books subscription		X
7	Prentice Hall 1776 K Street, N.W. Suite 607 Washington D.C. 20006	174.00	Books subscription		
8	R.D.K. Associates #362 1730 Rhode Island Avenue N.W. Washington D.C. 20036	1,000.00	Mortgage on real property		
9	R.D.K. Associates 1730 Rhode Island Ave. N.W. Washington D.C. 20036	23,000.00	Mortgage on real property		
10	R.D.K. Associates 1730 Rhode Island Avenue Washington D.C. 20036	65,000.00	Mortgage on real property		
11	Riggs Bank Warren St. & Wisconsin Ave. Washington D.C. 20016	11,000.00	Chatel Mortgage		
12	Security Finance Group 966 Hungerford Drive Rockville, Md.	50,000.00	Mortgage on real property	X	
13	Security Finance Group 966 Hungerford Drive Rockville, Md.	40,000.00	Mortgage on real property	X	
14	Shayne Bros. P.O. Box 31382 Temple Hills, Md. 20748	618.83	Trash service		
15	Southhampton Decorators 13200 Okinawa Ave. Rockville, Md.	5,020.00	Paint contractors		
16	Jack Spear 3342 18th St. N.W. Washington D.C. 20010	1,000.00	Bookkeeping services		
17	Southwest Sunsites 1600 Ventura Blvd. Encino, Calif. 91463	5,907.00	Mortgage on real property		
18	Universal Contract 2170 24th Place, N.E. Washington D.C.	325.00	General supplies		
19	Washington Federal S & L Assn 5101 Wisconsin Ave. N.W. Washington D.C. 20016	80,000.00	Mortgage on real property	X	
20	Woodward Properties 6432 31 Street, N.W. Washington D.C.	57,000.00	Mortgage on real property	X	
21	Washington Gas & Light Company 11th & H Streets N.W. Washington D.C.	22,816.00	Gas service on account		

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Type "X" in appropriate column

* Use (a) as above in case of a creditor entitled to priority under Rule 1c(1), Rule 13-107(b) and Interim Rule 105(a).
this (b) in a chapter 11 case, the debtors' creditors, holders of [illegible]
form (c) in a chapter 11 case, creditors and equity security holders, for use in Rule 1007(d).
(d) [illegible]

UNITED STATES BANKRUPTCY COURT FOR THE District of Columbia

In re
DAVID EUGENE BELL
DAVID E. BELL
BELL PROPERTIES
Debtor

CASE NO.

LIST OF CREDITORS*

	Creditor's Name and Address, Include Zip Code	Amount of Claim	Character of Claim and Consideration	Disputed	Contingent
1	Water Registrar (D.C. Government) 613 G Street, N.W. Washington D.C. 20001	250.00	Water service on account	X	
2	Water Registrar (D.C. Government) 613 G Street, N.W. Washington D.C. 20001	[illegible]	Water service on account	X	
3	Water Registrar (D.C. Government) 613 G Street, N.W. Washington D.C. 20001	11,205.00	Water service on account	X	
4	Water Registrar (D.C. Government) 613 G Street, N.W. Washington D.C. 20001	13,853.00	Water service on account	X	
5	Water Registrar (D.C. Government) 613 G Street, N.W. Washington D.C. 20001	8,264.00	Water service on account	X	
6	Water Registrar (D.C. Government) 613 G Street, N.W. Washington D.C. 20001	79.00	Water service on account		X
7	Zuckerman, Seymour 5530 Wisconsin Avenue Chevy Chase, Md. 20015	26,000.00	Mortgage on real property		
8					
9	TAX LIABILITIES - FEDERAL AND LOCAL				
10	I.R.S. Philadelphia, Pa.	5,832.59	1980 income tax liability excluding interest & penalty		
11	D.C. Treasurer 300 Indiana Ave. N.W. Washington D.C. 20001	6,664.20	1979 & 1980 income tax including interest & penalty		
12	D.C. Treasurer 300 Indiana Avenue, N.W. Washington D.C. 20001	5,978.74	1979 & 1980 unincorporated business tax including interest & penalty		
13					
14					
15					
16					
17					
18					
19					
20					
21					

BOOK 048 PAGE 619

3084 - Creditor's list.

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*Type "X" in appropriate column.

BOOK 043 PAGE 620

UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF COLUMBIA

In re DAVID EUGENE BELL
DAVID E. BELL
BELL PROPERTIES
Debtor

CASE NO. 81-00587

LIST OF TEN LARGEST UNSECURED CREDITORS*

	Creditor's Name and Address, Include Zip Code	Amount of Claim	Character of Claim and Securities	Disputed	
1	William Brewer 6443 Western Avenue, N.W. Washington D.C.	2,625.00	Private loan Contact: William Brewer, Tel: 966-6849		X
2	Hessick Oil 33 New York Ave. N.E. Washington D.C. 20002	7,242.00	Heating oil on account Contact: Fred hessick Tel: 289-2600		X
3	H.U.D. C/O Louise Morgan 1875 Connecitcut Ave. N.W. Washington D.C. 20009	26,350.00	Property Improvement loan Contact: Louise Morgan Tel: 673-5846		X
4	Medlin, Ken 6801 Allentown Road Camp Springs, Md. 20031	8,500.00	Roofer contract services Contact: Ken Medlin Tel: 449-3549		X
5	Mermelstein, David 13975 Connecticut Ave. Silver Spring, Md. 20906	3,197.00	Accounting sercives Contact: David Mermelstein Tel: 460-6520		X
6	Metropolitan Roofing 1032 North Garfield St. Arlington, Va. 22201	4,830.00	Roofing repairs services Contact Mr. Pitts Tel: 524-7788		X
7	National Bank of Washington 5701 Connecticut Ave. N.W. Washington D.C. 20016	5,200.00	Property Improvement loan Contact: Mr. Waller Tel: 537-2125		X
8	Shayne Bros. P.O. Box 31382 Temple Hills, Md. 20748	618.00	Trash collection services Contact: Mrs. Cook Tel: 899-3993		X
9	Jack Spear 3342 18th St. N.W. Washington D.C. 20010	1,000.00	Accounting services Contact: Jack Spear Tel: No Phone listed		X
10	Southhampton Decorators 13200 Okinawa Ave. Rockville, Md.	5,020.00	Painting services Contact: Alan Aburto Tel: 762-7233		X
11	I.R.S. Philadelphia, Pa.	5,832.59	1980 Income Tax liability- excluding interest and penalty No contact or telephone no.		
12	D.C. Treasurer 300 Indiana Ave. N.W. Washington D.C. 20001	6,664.20	1979 & 1980 income tax including penalty & interest		
13	D.C. Treasurer 300 Indiana Ave. N.W. Washington D.C. 20001	1,070.46	1980 unincorporated business tax including interest & penalty		
14					
15					
16					
17					
18					
19					
20					
21					

FILED
OCT 20 1981
Nancy A. Ziwoski, Clerk
U.S. Bankruptcy Court

* Use [illegible] as a creditor [illegible] Rule 1007(d) and Interim Rule 1007(b).

In the Matter of the Foreclosure of a Mortgage from David E. Bell and Jane M. Bell	:	NO. 11,163 CHANCERY
	:	IN THE CIRCUIT Court for
	:	SOMERSET COUNTY, MARYLAND
Ex Parte	:	

: : : : : :

AFFIDAVIT

STATE OF MARYLAND, COUNTY OF SOMERSET, SS:

I hereby certify that on this 13th day of May 1983, before me, the subscriber, a notary public in and for the state and county aforesaid, personally appeared Thomas S. Simpkins, and he did depose and say:

That on May 9th, 1983, he did mail an exact copy of the advertizement of sale in the above matter to: David E. Bell, 3710 Warren Street, N.W., Washington, D.C. 20016 and to Jane M. Bell, 3710 Warren Street, N.W., Washington, D.C. 20016, and to Henry T. Keegan, Esq., Miller, Loewinger & Associates, 471 H Street, Washington, D.C. 20001, by certified mail as required by Rule W74(b), and he did mail a copy of the advertizement of said sale to Francis P. Dicello, Esquire, 421 King Street, Suite 410, Alexandria, Va., 22314, United States Trustee, by regular U.S. Mail, postage prepaid.

Jean Taylor
Notary Public

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. SOMERSET AVE
P.O. BOX 207
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

Maryland

No. 11,163 Chancery Case

WESTERN SURETY COMPANY

One of America's Oldest Bonding Companies

CHICAGO • SIOUX FALLS • DALLAS
PALO ALTO • VALLEY FORGE

BOOK 043 PAGE 622

TRUSTEES, MORTGAGEES, ATTORNEYS OR FORECLOSURE BOND

KNOW ALL MEN BY THESE PRESENTS: FORM No. 19-TM-5019

That we, THOMAS J. SPAIN, as Principal, and the WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, as Surety, authorized to do business in the State of Maryland, are held and firmly bound in the sum of TWENTY FIVE THOUSAND DOLLARS/00 ($25,000.) DOLLARS,
(NOT VALID IF FILLED IN FOR MORE THAN $500,000.00)
to be paid to the said State of Maryland or its certain Attorney, to which payment well and truly to be made, we bind ourselves and our legal representatives, jointly and severally, by these presents.

Sealed with our seals and dated this 16th day of OCTOBER, 1981.

WHEREAS, the above bounden THOMAS J. SPAIN

by virtue of the power contained in a mortgage from DAVID E. BELL & JANE M. BELL

to DAVID T. MYLES & QUINDORA MYLES

bearing date the 22nd day of FEBRUARY, 1977 and recorded among

the mortgage records of SOMERSET COUNTY, MARYLAND

in Liber ITP No. 298581 Folio

and THOMAS J. SPAIN
is about to sell the land and premises described in said mortgage, default having been made in the payment of the money as specified, and in the conditions and covenants therein contained.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bounden

do and shall well and truly and faithfully perform the trust reposed in him under the mortgage aforesaid, and shall abide by and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of said mortgaged property, or the proceeds thereof, then the above obligation to be void, otherwise to be and remain in full force and virtue in law.

Signed, Sealed and delivered in the presence of

As to Principal

(Thomas J. Spain) Principal

As to Surety

Principal

WESTERN SURETY COMPANY

By Vice President

Countersigned by Maryland Resident Agent

OCT 16 4 28 PM '81

THE WITHIN BOND APPROVED.
PER: , CLERK.

RECORDED IN ITP
LIBER No. 11 FOLIO 107
I. THE CLERK OF CIR. CT.
BY DEPUTY

1268—10-77

BOND BOOK 11 PAGE 107

WESTERN SURETY COMPANY • ONE OF AMERICA'S OLDEST BONDING COMPANIES

Chancery
11,163

BOOK 043 PAGE 623

PRINCESS ANNE, MD., May 21 1983

This is to certify that the annexed Notice

has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Notice

Dates Inserted: May 5, 12, 19 1983

J. Bryan Byrd
Business Manager MARYLANDER and HERALD

THOMAS S. SIMPKINS
Attorney at Law
51 N. Somerset Ave.
Princess Anne, Maryland 21853

Mortgage Foreclosure Sale

OF

Valuable Property

LOCATED IN
LAWSON'S ELECTION DISTRICT
SOMERSET COUNTY, MARYLAND

UNDER and by virtue of the power of sale contained in a mortgage from David E. Bell and Jane M. Bell to David T. Myles and Quindora Myles dated February 22nd, 1977 and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 298, folio 583, et seq., default having occurred therein, I hereby give notice that I will on

Tuesday, May 24th, 1983

at 2:15 p.m.
at
AT THE COURTHOUSE DOOR IN
PRINCESS ANNE, MARYLAND

offer the following land and improvements for sale at public auction to the highest bid therefor:

"All that tract or parcel of land, situate in Lawson's Election District, Somerset County, Maryland, on the north side of the old County Road leading from St. Paul's Church to Crisfield, adjoining the land owned or formerly owned by John H. Parsons on the east, the land owned or formerly owned by Fred S. Tull on the north, and the private road owned or formerly owned by Caroline Darby on the west, and the aforesaid County Road on the south; said parcel of land containing 26 acres, more or less. And being the same land which was conveyed unto David E. Bell and Jane M. Bell by David T. Myles and Quindora Myles by deed dated February 22nd, 1977 and recorded among the Land Records of Somerset County, Maryland, in Liber 298, folio 581."

IMPROVEMENTS: Two-story frame dwelling, circa 1890, containing 768 sq. ft. Space heaters, one bath, one open porch, one enclosed porch.

TERMS OF SALE: $4,000 Cash or certified check on day of sale, balance upon ratification of sale, unpaid portion to bear interest at 10% to date of settlement. All title papers, revenue stamps, recording costs, and other closing costs, and agricultural tax, if any, at the expense of the purchaser. Real estate taxes to be pro-rated to date of sale.

THOMAS S. SIMPKINS

3tc 5/5

In the Matter of the Foreclosure of a Mortgage from David E. Bell and Jane M. Bell	:	NO. 11,163 CHANCERY
	:	IN THE CIRCUIT COURT FOR
	:	SOMERSET COUNTY, MARYLAND
Ex Parte	:	

: : : : :

AFFIDAVIT

STATE OF MARYLAND, COUNTY OF SOMERSET, SS:

I hereby certify that on this 24th day of May 1983, before me, the subscriber, a notary public in and for the state and county aforesaid, personally appeared David E. Bell, Agent for Charles H. Schools of 1420 Darnall Drive, McLean, Virginia, and after being duly sworn by me according to law, deposes and says:

1. That he, on behalf of said Charles H. Schools, was the purchaser at the public auction of the property in these proceedings held on May 25th, 1983 at 2:15 p.m. for $26,000.00.
2. That he did not directly or indirectly discourage anyone from bidding on the property.

As Witness my hand and Notarial Seal.

David E. Bell
David E. Bell Affiant

Jean Taylor
Notary Public

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. SOMERSET AVE.
P.O. BOX 207
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

In the Matter of the Foreclosure of a Mortgage from David E. Bell and Jane M. Bell	:	NO. 11,163 CHANCERY
	:	IN THE CIRCUIT COURT FOR
	:	SOMERSET COUNTY, MARYLAND
Ex Parte		

: : : : : :

REPORT OF SALE

TO THE HONORABLE, THE JUDGE OF SAID COURT:

Thomas S. Simpkins, Attorney in the above captioned cause, duly qualified after filing his approved bond, hereby reports that he did on May 24th, 1983, at 2:15 p.m. after having given due notice as required by law, sell the land at public auction described in these proceedings, unto David E. Bell, Agent for Charles H. Schools, for the sum of Twenty-six Thousand Dollars ($26,000.00), that being the highest bid therefor and that a deposit of Four Thousand Dollars has been paid as per terms of sale, the unpaid portion to be paid upon ratification.

Respectfully submitted,

Thomas S. Simpkins

STATE OF MARYLAND, COUNTY OF SOMERSET, SS:

I hereby certify that on this 24th day of May 1983, before me, the subscriber, a notary public in and for the state and county aforesaid, personally appeared Thomas S. Simpkins, and he did depose and say: that he was duly appointed and qualified to sell the land in the above proceedings and that he did sell the same as hereinbefore set forth, that the sale was fairly conducted and that the Report of Sale is true and correct to the best of his information, knowledge and belief.

As Witness my hand and Notarial Seal.

Jean Taylor
Notary Public

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N SOMERSET AVE
P O BOX 207
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

BOOK 043 PAGE 626

THOMAS S. SIMPKINS
Attorney at Law
Princess Anne, Maryland

In the Foreclosure of
a Mortgage from David E.
Bell and Jane M. Bell

CHANCERY NO. 11,163

In the Circuit Court For

Somerset County, Maryland

ORDER NISI

ORDERED, by the Circuit Court for Somerset County, Maryland, this 24th day of May 1983, that the sale of the property mentioned in these proceedings, made and reported by Thomas S. Simpkins, Attorney, BE RATIFIED and CONFIRMED unless cause to the contrary thereof be shown on or before the 23rd day of June 1983; provided a copy of this ORDER be inserted in some newspaper published in Somerset County, Maryland, once in each of three consecutive weeks before the 20th day of June 1983.

The Report states the amount of sale to be a total of Twenty-six Thousand Dollars ($26,000.00).

I. Theodore Phoebus

I. Theodore Phoebus, Clerk

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. SOMERSET AVE.
P.O. BOX 207
PRINCESS ANNE, MD. 21853

TELEPHONE 651-1400

THOMAS S. SIMPKINS
Attorney at Law
Princess Anne, Maryland

IN THE FORECLOSURE OF A MORTGAGE FROM DAVID E. BELL AND JANE M. BELL

CHANCERY NO. 11,163
In the Circuit Court for
Somerset County, Maryland

ORDER NISI

ORDERED, by the Circuit Court for Somerset County, Maryland, this 24th day of May 1983, that the sale of the property mentioned in these proceedings, made and reported by Thomas S. Simpkins, Attorney, BE RATIFIED and CONFIRMED unless cause to the contrary thereof be shown on or before the 23rd day of June 1983; provided a copy of this ORDER be inserted in some newspaper published in Somerset County, Maryland, once in each of three consecutive weeks before the 20th day of June 1983.

The Report states the amount of sale to be a total of Twenty-six Thousand Dollars ($26,000.00).

I. THEODORE PHOEBUS
Clerk

True Copy, Test: I. Theodore Phoebus, Clerk

3tc 6/2

BOOK 043 PAGE 627

PRINCESS ANNE, MD. June 16 1983

This is to certify that the annexed Notice

has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Notice

Dates Inserted: June 2, 9, 16 1983

Business Manager MARYLANDER and HERALD

BOOK 043 PAGE 628

In the Matter of the Foreclosure of a Mortgage from David E. Bell and Jane M. Bell	:	NO. 11,163 CHANCERY
	:	IN THE CIRCUIT COURT FOR
Ex Parte	:	SOMERSET COUNTY, MARYLAND
	:	

: : : : : : :

ORDER OF RATIFICATION

UPON the Report of Sale, Affidavit and ORDER NISI which was duly published as required by Rule, and no one having shown cause to the contrary or objected thereto, IT IS, this 23rd day of June 1983, ORDERED AND DECREED by the Circuit Court for Somerset County, Maryland, in No. 11,163 Chancery that the sale of the property mentioned in these proceedings BE and IT hereby IS RATIFIED AND CONFIRMED.

R. D. Horsey
JUDGE

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. SOMERSET AVE.
P.O. BOX 207
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

In the Matter of the Foreclosure of a Mortgage from David E. Bell and Jane M. Bell	* * * * *	NO. 11,163 CHANCERY IN THE CIRCUIT COURT FOR SOMERSET COUNTY

FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he made an examination of the proceedings in the above entitled cause and from them and the list of expenses furnished him therein, states the following Account:

Amount of Sale			$ 26,000.00
Interest from 5/24/83 to 7/24/83 at 10%			355.77
			$ 26,355.77
Fees, Costs, Expenses, etc.			
I. Theodore Phoebus, Court Costs		134.00	
Marylander and Herald			
Advertising	$373.86		
Order Nisi	50.00	423.86	
Henderson Insurance, Bonds (2)		150.00	
Wallace Dashiell, Auctioneer		100.00	
Logan C. Widdowson, Auditor		65.00	
Real Estate Taxes - 1980 - 225.70			
1981 - 211.04			
1982 - 201.13		637.87	
Commissions		1,450.00	
Notary Fees		10.00	
Certified Mail		7.71	
Attorney fee per Mortgage		30.00	
Total Fees, Costs, Expenses, etc.		$3,008.44	
Balance to be Distributed			$ 23,347.33
Mortgage Debt			
Principal Balance	$17,201.25		
Interest through 9/28/81	290.29		
Interest from 9/28/81 through 7/16/83	2,473.12		
Total Mortgage Debt			$ 19,964.66
Surplus			3,382.67

ALL EXCEPTIONS to said report must be filed within fifteen (15) days of the date of filing; if no exceptions are filed, the account may be ratified.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing on the date of the filing of the Audit notice of this report to the following parties by regular U.S. Mail:

David E. Bell
3710 Warren Street, N. W.
Washington, D. C. 20016

Jane M. Bell
3710 Warren Street, N. W.
Washington, D. C. 20016

Thomas Simpkins, Esq.
Somerset Avenue
Princess Anne, MD
21853

LOGAN C. WIDDOWSON
ATTORNEY AT LAW
NORTH SOMERSET AVENUE
PRINCESS ANNE, MD. 21853
651-3800

LCW/gjb
7/7/83
83 # 138

Logan C. Widdowson, Auditor

Date of Filing: July 7, 1983

BOOK 043 PAGE 029

CHANCERY NO. 11,163

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. SOMERSET AVE.
P.O. BOX 207
PRINCESS ANNE, MARYLAND 21853

TELEPHONE 651-1400

BOOK 043 PAGE 630

COPY

26 August 1983

Charles H. Schools
1420 Darnall Drive
McLean, Virginia 22101

Re: Chancery No. 11,163 Circuit Court
Somerset County, Maryland
Date of Sale: May 24, 1983

Sir:

Mr. Bell called me today and asked for a further extension in regard to settlement because the money from Federal Land Bank is not available. I have talked to Mr. Whitman from Federal Land Bank and he indicates that the loan has been approved.

I, today, talked to Mr. Myles, the holder of the mortgage; he has reluctantly consented to a further extension of two weeks. Therefore, I have again, for the third time, extended settlement. Settlement is scheduled for Monday, September 12, 1983, at 1:00 p.m.

Enclosed herewith you will find a statement of the amount necessary to settle at that time. I expect the funds to be in my office at that time and there will be no further extensions for any reason whatsoever.

If you are unable to procure the funds from the Federal Land Bank, you will have to procure them from somewhere else. The funds must be in the form of a certified check or bank cashier's check.

Very truly yours,

Thomas S. Simpkins

TSS:jt

cc: David Bell

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. SOMERSET AVE.
P.O. BOX 207
PRINCESS ANNE, MARYLAND 21853

TELEPHONE 651-1400

XXXXXXXXXX
ASSOCIATE

COPY

2 August 1983

Charles H. Schools
1420 Darnall Drive
McLean, Virginia 22101

Re: Mortgage foreclosure sale - Chancery No. 11,163
Date of Sale: May 24, 1983
$26,000.00 purchase price

Dear Sir:

On July 14th, I advised you that the above matter was ready for settlement at your convenience after July 24th. To date I have not heard from you.

This is to advise you that I have set settlement for August 15th, at 11:00 a.m.o'clock, at which time it will be necessary for you to bring with you a cashier's or certified check for the balance due as set forth on the statement previously forwarded.

Unless the matter is settled on or before that time, I shall determine that you are in default and shall re-schedule the sale of the property at your risk.

You will recall you placed a $4,000.00 down payment on the property which may be forfeited if the transaction is not settled on that date.

Very truly yours,

Thomas S. Simpkins

TSS:jt

cc: David E. Bell
David T. Myles
Clerk of the Circuit Court
for Somerset County

CIRCUIT COURT
CHANCERY NO. 11,163

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. SOMERSET AVE.
P.O. BOX 207
PRINCESS ANNE, MARYLAND 21853

TELEPHONE 651-1400

XXXXXXXXXXXX
ASSOCIATE

BOOK 043 PAGE 632

COPY

12 August 1983

Charles H. Schools
1420 Darnall Drive
McLean, Virginia 22101

Re: Chancery No. 11,163
Circuit Court Somerset County
Myles-Bell Foreclosure
Date of Sale May 24, 1983
$26,000.00

Dear Sir:

As I previously wrote you, I was prepared to declare you in default on the above transaction on August 15th; however, in consideration of the fact that you have apparently attempted to obtain financing, I am prepared to grant you a ten-day extension.

I talked to Mr. Whitman of the Federal Land Bank and he indicated that the loan has not been approved and a commitment could not be expected for four weeks. Under the circumstances, I can not wait for your approval from that source and must insist that the matter be concluded on or before August 26th.

If you have not settled by that time, the matter will be in default and the property readvertized.

I have set settlement for August 26th, at 10:30 a.m. I shall expect to have received the balance of the money at that time. I am enclosing herewith an up-dated accounting which indicates the amount that shall be due on that date.

Very truly yours,

Thomas S. Simpkins

TSS:jt
cc: David Bell
Clerk of the Circuit Court
David T. Myles

No. 11,163 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 7th day of July, 19 83 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the 22nd day of July, 19 83.

I Theodore Shockley
CLERK

No exceptions having been filed, and no cause to the contrary having been shown, IT IS ORDERED by the Circuit Court for Somerset County, in Equity, this 27th day of September, 19 83 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

I Theodore Shockley
CLERK

APR 19 1984

Exd.

BOOK 043 PAGE 633

BK 043 PAGE 634

CHARLES E. HEARNE, JR., ~~HANKLTON~~ ~~FOXXX~~ and ~~FOX~~ JAMES P. BAILEY, Trustees named in a Deed of Trust	:	No. 10976 Chancery
	:	In the Circuit Court for
	:	Somerset County
	:	State of Maryland
FROM	:	
	:	021136D*****10.00 021137D*****60.00
BENJAMIN T. SAUNDERS and LORETTA M. SAUNDERS, his wife Route 3, Box 372 Princess Anne, Maryland 21853	:	
	:	

* * * * * * *

MR. CLERK:

Please docket case as above and file for foreclosure original Deed of Trust ~~mortgage~~ from Benjamin T. Saunders and Loretta M. Saunders, his wife

dated July 13, 1979, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 315, Folio 292.

Please enter the appearance of the undersigned as Solicitors for the Trustees, our address being Colonial Building, Salisbury, Maryland.

HEARNE, ~~FOX~~ & BAILEY

By _____
Solicitors for Trustees

FOR DEED OF TRUST SEE LIBER ITP NO. 315 FOLIO 292.

HEARNE, ~~FOX~~ & BAILEY
ATTORNEYS AT LAW
SALISBURY, MD.
AREA CODE 301
749-5144
PROFESSIONAL ASSOCIATION

CHARLES E. HEARNE, JR., ~~XXXXXXX~~ ~~XXXXXXX~~ and ~~XX~~ JAMES P. BAILEY, Trustees named in a Deed of Trust	:	No. 10970 Chancery
	:	In the Circuit Court for
	:	Somerset County
FROM	:	State of Maryland
	:	
BENJAMIN T. SAUNDERS and LORETTA M. SAUNDERS, his wife Route 3, Box 372 Princess Anne, Maryland 21853	:	
	:	
	:	

* * * * * * * *

MILITARY AFFIDAVIT

STATE OF MARYLAND, WICOMICO COUNTY, to-wit:

I HEREBY CERTIFY, That on this 20th day of October, A.D., 19 80 before me, the subscriber, a Notary Public of the State of Maryland, in and for Wicomico County aforesaid, personally appeared John W. Laws, Loan Officer of the within ~~Mortgagee~~ Beneficiary, and made oath in due form of law that Benjamin T. Saunders and Loretta M. Saunders are not in the military service as hereinafter set forth and that they have not been in such military service within thirty (30) days prior to the making of this affidavit, such military service being referred to as follows:

(1) The military service of the United States of America or of the enlisted reserve groups thereof;

(2) Ordered to report for induction under the Selective Training and Service Act of 1940 as amended;

(3) The military service of any nation with which the United States of America may be allied in the prosecution of war.

AS WITNESS my hand and Notarial Seal.

Shirley C. Gray
Notary Public

SHIRLEY C. GRAY NOTARY PUBLIC WICOMICO COUNTY, MD.

BOOK 048 PAGE 636

CHARLES E. HEARNE, JR., ~~[illegible]~~ ~~[illegible]~~ and ~~[illegible]~~ JAMES P. BAILEY, Trustees named in a Deed of Trust	:	No. 10,970 Chancery
	:	In the Circuit Court for
	:	Somerset County
FROM	:	State of Maryland
BENJAMIN T. SAUNDERS and LORETTA M. SAUNDERS, his wife Route 3, Box 372 Princess Anne, Maryland 21853	:	
	:	
	:	

* * * * * *

DEED OF TRUST
STATEMENT OF ~~MORTGAGE~~ DEBT

TO FIRST SHORE FEDERAL SAVINGS AND LOAN ASSOCIATION

Principal Balance	$ 25,453.81
Interest from 9/1/80 to 11/14/80, date of sale	562.45
Late Charges	38.48
	$ 26,054.74
Less: Reserve for Taxes and Insurance	209.95
TOTAL DUE	$ 25,844.79

STATE OF MARYLAND, WICOMICO COUNTY, to-wit:

I HEREBY CERTIFY, That on this 20th day of October, A.D., 1980, before me, the subscriber, a Notary Public of the State of Maryland, in and for Wicomico County aforesaid, personally appeared John W. Laws, Loan Officer of _____

the within ~~Mortgagee~~ Beneficiary, and made oath in due form of law that the aforegoing Statement of ~~Mortgage~~ Deed of Trust Debt is true and correct.

AS WITNESS my hand and Notarial Seal.

Shirley C. Gray
Notary Public

SHIRLEY C. GRAY NOTARY PUBLIC WICOMICO COUNTY, MD.

CHARLES E. HEARNE, JR. and JAMES P. BAILEY, Trustees named in a Deed of Trust	:	NO. 10,970 CHANCERY
	:	IN THE CIRCUIT COURT FOR
	:	SOMERSET COUNTY
FROM	:	STATE OF MARYLAND
BENJAMIN T. SAUNDERS and LORETTA M. SAUNDERS, his wife Route 3, Box 372 Princess Anne, Maryland 21853	:	

* * * * * * * * * * * * * * * * *

AFFIDAVIT OF COMPLIANCE WITH COVENANT NO. 18 OF DEED OF TRUST:

I HEREBY CERTIFY, That on this 20th day of October, A.D., 1980, before me, the subscriber, a Notary Public of the State of Maryland, in and for Wicomico County aforesaid, personally appeared John W. Laws, an agent of the Lendor and made oath in due form of law as follows:

(1) That by certified mail, the borrower was advised of all of the information requested to be furnished him under Covenant No. 18 of the Deed of Trust herein filed for foreclosure, which said certified mail was refused or unclaimed by said addressees, copy of respective letter being attached hereto as evidence thereof.

(2) That the borrower has not within the time limited and provided by the aforesaid Covenant No. 18 cured the breach and default therein noted.

John W. Laws
Affiant

SUBSCRIBED AND SWORN TO, before me, this 20th day of October, A.D., 1980.

Shirley C. Gray Notary Public

SHIRLEY C. GRAY NOTARY PUBLIC WICOMICO COUNTY, MD.

BOOK 048 PAGE 637

BOOK 048 PAGE 638

PS Form 3811, Apr. 1977 RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one)
☐ Show to whom and date delivered ..... 15¢
☐ Show to whom, date, and address of delivery ..... $
☐ RESTRICTED DELIVERY
Show to whom and date delivered ..... ¢
☐ RESTRICTED DELIVERY
Show to whom, date, and address of delivery $
(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Mr & Mrs Benjamin T. Saunders
Rt 3, Box 372
Princess Anne, Md. 21853

3. ARTICLE DESCRIPTION:
REGISTERED NO. | CERTIFIED NO. | INSURED NO.
P00 698648

(Always obtain signature of addressee or agent)
I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent

4. DATE OF DELIVERY

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

POSTMARK

CLERK'S INITIALS

☆GPO: 1977—O—249-599

T SHORE FEDERAL
gs and Loan Association
DIVISION & CAMDEN STREETS
ALISBURY, MD. 21801

RETURNED TO WRITER
REASON CHECKED
Unclaimed ___ Refused ___
Unknown ___
Insufficient address ___
Moved, Left no address ___
No such office in state ___
Do not resend in this envelope

Mr. & Mrs. Benjamin T. Saunders
Route 3, Box 372
Princess Anne, Maryland 21853

CERTIFIED
P00 6986489

Name ___
1st Notice 10-7
2nd Notice 10-17
Return 10-17

CLAIM CHECK NO. 081305
DATE 9-10-87
1st NOTICE 9-17-87
2ND NOTICE 9-25-87
RETURN

September 9, 1980

Mr. & Mrs. Benjamin T. Saunders
Route 3, Box 372
Princess Anne, Maryland 21853

Re: Mortgage Account No. 912321

Dear Mr. & Mrs. Saunders:

Your deed of trust loan is now $831.62 and three months in arrears. This letter serves to inform you that this loan must be made current no later than October 9, 1980. Payment in any amount less than the full amount due at the time of payment will not be accepted. Payment must be in the form of certified check, money order, or cash. No personal checks will be accepted. Failure to cure this delinquency by the above deadline may result in acceleration of the sums secured by this deed of trust, foreclosure by Judicial proceeding and sale of the property in order to collect the full amount owing on said deed of trust loan.

Should acceleration and foreclosure proceedings be instituted you have the right to reinstate the deed of trust loan by bringing the account completely to date including all incurred legal costs. You also have the right to assert in the foreclosure proceeding the nonexistence of a default or any other defense you may have to acceleration and foreclosure.

Very truly yours,

John W. Laws
Loan Officer

JWL:mbl

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Cert requested mail 10/1/80

CHARLES E. HEARNE, JR., ~~XXXXXXXX~~ ~~XXXXXXXX~~ and ~~XXX~~ JAMES P. BAILEY, Trustees named in a Deed of Trust

FROM

BENJAMIN T. SAUNDERS and
LORETTA M. SAUNDERS, his wife
Route 3, Box 372
Princess Anne, Maryland 21853

No. 10,970 Chancery

In the Circuit Court for

Somerset County

State of Maryland

BOOK 048 PAGE 040

* * * * * * * *

MILITARY AFFIDAVIT

STATE OF MARYLAND, WICOMICO COUNTY, to-wit:

I HEREBY CERTIFY, That on this 16th day of April, A.D., 1981, before me, the subscriber, a Notary Public of the State of Maryland, in and for Wicomico County aforesaid, personally appeared John W. Laws, Vice President of the within ~~Mortgagee~~ Beneficiary, and made oath in due form of law that Benjamin T. Saunders and Loretta M. Saunders are not in the military service as hereinafter set forth and that they have not been in such military service within thirty (30) days prior to the making of this affidavit, such military service being referred to as follows:

(1) The military service of the United States of America or of the enlisted reserve groups thereof;

(2) Ordered to report for induction under the Selective Training and Service Act of 1940 as amended;

(3) The military service of any nation with which the United States of America may be allied in the prosecution of war.

AS WITNESS my hand and Notarial Seal.

Shirley C. Gray
Notary Public

SHIRLEY C. GRAY
NOTARY PUBLIC
WICOMICO COUNTY, MD.

CHARLES E. HEARNE, JR., ~~HAMILTON~~ ~~BOXHOLX~~ and ~~JOHN~~ JAMES P. BAILEY, Trustees named in a Deed of Trust	:	No. 10,970 Chancery
	:	In the Circuit Court for
	:	Somerset County
FROM	:	State of Maryland
	:	
BENJAMIN T. SAUNDERS and LORETTA M. SAUNDERS, his wife Route 3, Box 372 Princess Anne, Maryland 21853	:	
	:	
	:	

* * * * * *

DEED OF TRUST
STATEMENT OF ~~MORTGAGE~~ DEBT

TO FIRST SHORE FEDERAL SAVINGS AND LOAN ASSOCIATION

Principal Balance	$ 25,870.27
Interest from 2/1/81 to May 15, 1981, date of sale	811.74
Late Charges	86.58
	$ 26,767.99
Less: Reserve for Taxes and Insurance	199.07
TOTAL DUE	$ 26,568.92

STATE OF MARYLAND, WICOMICO COUNTY, to-wit:

I HEREBY CERTIFY, That on this 16th day of April, A.D., 19 81, before me, the subscriber, a Notary Public of the State of Maryland, in and for Wicomico County aforesaid, personally appeared John W. Laws, Vice President of

the within ~~Mortgagee~~ Beneficiary, and made oath in due form of law that the aforegoing Statement of ~~Mortgage~~ Deed of Trust Debt is true and correct.

AS WITNESS my hand and Notarial Seal.

SHIRLEY C. GRAY NOTARY PUBLIC WICOMICO COUNTY, MD.

Shirley C. Gray
Notary Public

948 PG 941

BOOK 048 PAGE 642

CHARLES E. HEARNE, JR. and JAMES P. BAILEY, Trustees named in a Deed of Trust	:	NO. 10,970 CHANCERY
	:	IN THE CIRCUIT COURT FOR
	:	SOMERSET COUNTY
FROM	:	STATE OF MARYLAND
BENJAMIN T. SAUNDERS and LORETTA M. SAUNDERS, his wife Route 3, Box 372 Princess Anne, Maryland 21853	:	

* * * * * * * * * * * * * * * * * *

AFFIDAVIT OF COMPLIANCE WITH COVENANT NO. 18 OF DEED OF TRUST:

I HEREBY CERTIFY, That on this 16th day of April, A.D., 1981, before me, the subscriber, a Notary Public of the State of Maryland, in and for Wicomico County aforesaid, personally appeared John W. Laws, an agent of the Lendor and made oath in due form of law as follows:

(1) That by certified mail, a copy of the Postal Return Receipt being attached hereto, has advised the borrowers of all of the information required to be furnished him under Covenant No. 18 of the Deed of Trust herein filed for foreclosure.

(2) That the borrower has not within the time limited and provided by the aforesaid Covenant No. 18, cured the breach and default therein noted.

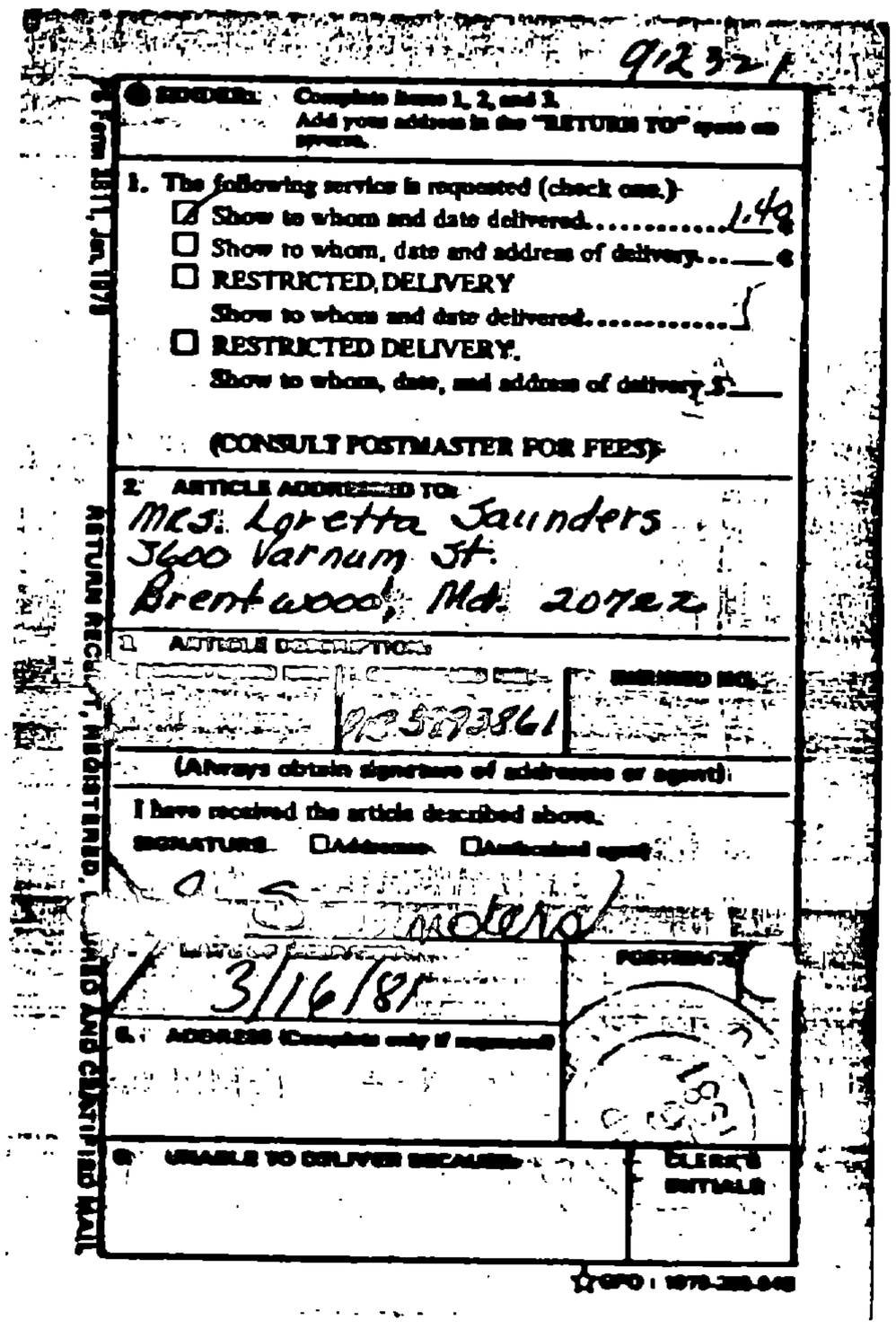
Affiant

SUBSCRIBED AND SWORN TO, before me, this 16th day of April, A.D., 1981.

Shirley C. Gray Notary Public

SHIRLEY C. GRAY NOTARY PUBLIC WICOMICO COUNTY, MD.

Shirley Gray



92321

SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)
- [x] Show to whom and date delivered 1.40
- [ ] Show to whom, date and address of delivery ..... $
- [ ] RESTRICTED DELIVERY
  Show to whom and date delivered ..... $
- [ ] RESTRICTED DELIVERY.
  Show to whom, date, and address of delivery $ ____

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Mrs. Loretta Saunders
3600 Varnum St.
Brentwood, Md. 20722

3. ARTICLE DESCRIPTION
REGISTERED NO. 903573861
CERTIFIED NO.
INSURED NO.

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE: [x] Addressee [ ] Authorized agent
O. S. Moteral

4. DATE OF DELIVERY
3/16/85

5. ADDRESSEE (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

POSTMASTER

CLERK'S INITIALS

RETURN RECEIPT, REGISTERED, CERTIFIED AND INSURED MAIL
Form 3811, Jan. 1979

☆GPO : 1979-289-848

BOOK 048 PAGE 643

BOOK 048 PAGE 644

CHARLES E. HEARNE, JR. and JAMES P. BAILEY, Trustees named in a Deed of Trust	:	No. 10970 Chancery
	:	In the Circuit Court for
	:	Somerset County
	:	State of Maryland
FROM	:	
BENJAMIN T. SAUNDERS and LORETTA M. SAUNDERS, his wife Route 3, Box 372 Brownstone Road Princess Anne, Maryland 21853	:	
	:	

* * * * * * * *

MILITARY AFFIDAVIT

STATE OF MARYLAND, WICOMICO COUNTY, to-wit:

I HEREBY CERTIFY, That on this 3rd day of January, A.D., 1983, before me, the subscriber, a Notary Public of the State of Maryland, in and for Wicomico County aforesaid, personally appeared John W. Laws, Vice President of the within Mortgagee, and made oath in due form of law that Benjamin T. Saunders and Loretta M. Saunders are not in the military service as hereinafter set forth and that they have not been in such military service within thirty (30) days prior to the making of this affidavit, such military service being referred to as follows:

(1) The military service of the United States of America or of the enlisted reserve groups thereof;

(2) Ordered to report for induction under the Selective Training and Service Act of 1940 as amended;

(3) The military service of any nation with which the United States of America may be allied in the prosecution of war.

AS WITNESS my hand and Notarial Seal.

Shirley C. Gray

Notary Public

SHIRLEY C. GRAY NOTARY PUBLIC WICOMICO COUNTY, MD.

CHARLES E. HEARNE, JR. and JAMES P. BAILEY, Trustees named in a Deed of Trust	:	No. 10970 Chancery
	:	In the Circuit Court for
	:	Somerset County
FROM	:	State of Maryland
BENJAMIN T. SAUNDERS and LORETTA M. SAUNDERS, his wife Route 3, Box 372 Brownstone Road Princess Anne, Maryland 21853	:	

* * * * * *

STATEMENT OF MORTGAGE DEBT

TO FIRST SHORE FEDERAL SAVINGS AND LOAN ASSOCIATION

Principal Balance	$ 26,120.51
Interest from 11/1/82 **to** 1/28/83, **date of sale**	686.39
Late Charges	96.20
	$ 26,903.10
Less: Reserves for Taxes and Insurance	249.96
TOTAL DUE	$ 26,653.14

STATE OF MARYLAND, WICOMICO COUNTY, to-wit:

I HEREBY CERTIFY, That on this 3rd **day of** January, **A.D., 19**83, **before me, the subscriber, a Notary Public of the State of Maryland, in and for Wicomico County aforesaid, personally appeared** John W. Laws, Vice President of

the within Mortgagee, and made oath in due form of law that the aforegoing Statement of Mortgage Debt is true and correct.

AS WITNESS my hand and Notarial Seal.

Shirley C. Gray

Notary Public

SHIRLEY C. GRAY NOTARY PUBLIC WICOMICO COUNTY, MD.

BOOK 048 PAGE 645

CHARLES E. HEARNE, JR. and JAMES P. BAILEY, Trustees named in a Deed of Trust	:	NO. 10970 Chancery
	:	IN THE CIRCUIT COURT FOR
	:	SOMERSET COUNTY
FROM	:	STATE OF MARYLAND
BENJAMIN T. SAUNDERS and LORETTA M. SAUNDERS, his wife Route 3, Box 372 Brownstone Road Princess Anne, Maryland 21853	:	

* * * * * * * * * * * * * * * * *

AFFIDAVIT OF COMPLIANCE WITH COVENANT NO. 18 OF DEED OF TRUST:

I HEREBY CERTIFY, That on this 3rd day of January, A.D., 1983, before me, the subscriber, a Notary Public of the State of Maryland, in and for Wicomico County aforesaid, personally appeared John W. Laws, an agent of the Lendor and made oath in due form of law as follows:

(1) That by certified mail, he has advised the borrower of all of the information required to be furnished him under Covenant No. 18 of the Deed of Trust herein filed for foreclosure, which said certified mail was refused or unclaimed by said addressee, copy of respective letter being attached hereto as evidence thereof.

(2) That the borrower has not within the time limited and provided by the aforesaid Covenant No. 18 cured the breach and default therein noted.

Affiant

SUBSCRIBED AND SWORN TO, before me, this 3rd day of January, A.D., 1983.

Shirley C. Gray, Notary Public

SHIRLEY C. GRAY NOTARY PUBLIC WICOMICO COUNTY, MD.

FIRST SHORE FEDERAL
Savings and Loan Association
SO. DIVISION & CAMDEN STREETS
ALISBURY, MD. 21801

RETURNED TO SENDER

REASON CHECKED
Unclaimed ___ Refused ___
Addressee unknown ___
Insufficient Address ___
No such street ___ number ___
No such office in state ___
Do not remail in this envelope

CLAIM CHECK NO.
471166

☐ HOLD

DATE

1ST NOTICE

2ND NOTICE

RETURN

Detached from PS Form 3849-A July 1977

CERTIFIED
P19 451723
MAIL

PRINCE GEORGES CO. MD 207
PM
10 NOV
1982

Mrs. Loretta M. Saunders
7985 Riggs Road Apt. 10
Adelphi, Maryland 20783

Fwd TO:
4312 37th St.
Brentwood Md. 20722

Chancery Case 10,970

BOOK 0 43 PAGE 647

BOOK 048 PAGE 648

CHARLES E. HEARNE, JR. and JAMES P. BAILEY, Trustees named in a Deed of Trust	:	No. 10970 Chancery
	:	In the Circuit Court for
	:	Somerset County
FROM	:	State of Maryland
	:	
BENJAMIN T. SAUNDERS and LORETTA M. SAUNDERS, his wife Route 3, Box 372 Brownstone Road Princess Anne, Maryland 21853	:	
	:	
	:	

* * * * * *

AMENDED STATEMENT OF ~~MORTGAGE~~ DEED OF TRUST DEBT

TO FIRST SHORE FEDERAL SAVINGS AND LOAN ASSOCIATION

Principal Balance	$ 26,130.55
Interest from 11/1/82 **to** 1/28/83, **date of sale**	686.57
Late Charges	96.20
TOTAL DUE	$ 26;913.32

STATE OF MARYLAND, WICOMICO COUNTY, to-wit:

I HEREBY CERTIFY, That on this 6th **day of** January, **A.D., 19**83, **before me, the subscriber, a Notary Public of the State of Maryland, in and for Wicomico County aforesaid, personally appeared** John W. Laws, Vice President of

the within ~~Mortgagee~~ Beneficiary, **and made oath in due form of law that the aforegoing** Amended **Statement of** ~~Mortgage~~ Deed of Trust **Debt is true and correct.**

AS WITNESS my hand and Notarial Seal.

Shirley C. Gray

Notary Public

SHIRLEY C. GRAY NOTARY PUBLIC WICOMICO COUNTY, MD.

Bond Book 11, Page 180

Fidelity and Deposit Company

HOME OFFICE OF MARYLAND BALTIMORE, MD. 21203

KNOW ALL MEN BY THESE PRESENTS:

That we, Charles R. Dashiell, Jr. and Frederic E. Wierman

as Principal,

and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a body corporate, duly incorporated under the laws of the State of Maryland, as Surety, are held and firmly bound unto the State of Maryland, in the full and just sum of TWENTY-SIX THOUSAND FIVE HUNDRED AND 00/100 ---------- ($26,500.00) Dollars, to be paid to the said State or its certain Attorney, to which payment well and truly to be made, and done, we bind ourselves and each of us, our and each of our Heirs, Executors, Administrators, Successors or Assigns jointly and severally, firmly by these presents.

Sealed with our seals and dated this 28th day of January in the year of our Lord ONE THOUSAND NINE HUNDRED EIGHTY-THREE

Whereas, the above bounden s Charles R. Dashiell, Jr. and Frederic E. Wierman by virtue of the power contained in a ~~mortgage~~ Deed of Trust from Benjamin T. Saunders and Loretta M. Saunders, his wife, to Charles E. Hearne, Jr. and Jamees P. Bailey, ~~XX~~ to Trustees for First Shore Federal Savings and Loan Association bearing date the 13th day of July, 1979 and recorded among the mortgage records of Somerset County, Maryland in Liber I.T.P. No. 315 Folio 292 and the said First Shore Federal Savings and Loan Association having appointed Charles R. Dashiell, Jr. and Frederic E. Wierman as Substitute Trustees, said substitute trustees are ~~is~~ about to sell the land and premises described in said mortgage, default having been made in the payment of the money as specified, and in the conditions and covenants therein contained.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bounden s Charles R. Dashiell, Jr. and Frederic E. Wierman do and shall well and truly and faithfully perform the trust reposed in them under the mortgage aforesaid, and shall abide by and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of said mortgaged property, or the proceeds thereof then the above obligation to be void, otherwise to be and remain in full force and virtue in law.

In Testimony Whereof, the above bounden s Charles R. Dashiell, Jr. and Frederic E. Wierman has hereto set their hand s and seal s and the said body corporate has caused these presents to be duly signed by its Attorney-in-Fact, the day and year first herein above written.

Signed, sealed and delivered in the presence of:

Shirley Williams

Charles R. Dashiell, Jr. (SEAL)

Frederic E. Wierman (SEAL)

Witness:

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

Shirley Williams

By Charles E. Hearne, Jr. *Attorney-In-Fact*

As to Surety

MD3228a—1M, 9-68 180755
Mortgagee's or Attorney's Bond

BOOK 048 PAGE 649

Chancery No. 10,970

THE WITHIN BOND APPROVED. PER: J. Theodore Phillips, CLERK

BOOK 048 PAGE 650

CHARLES E. HEARNE, JR. and JAMES P. BAILEY, Trustees named in a Deed of Trust	:	NO. 10970 CHANCERY
	:	IN THE CIRCUIT COURT FOR
FROM	:	SOMERSET COUNTY
	:	STATE OF MARYLAND
BENJAMIN T. SAUNDERS and LORETTA M. SAUNDERS, his wife Route 3, Box 372 Brownstone Road Princess Anne, Maryland 21853	:	

* * * * * *

TO THE HONORABLE, THE JUDGES OF SAID COURT:

THE REPORT OF Sale of Charles R. Dashiell, Jr. and Frederic E. Wierman, Substitute Trustees appointed pursuant to Covenant 23 of the Deed of Trust filed herein, under and by virtue of the power of sale contained in a certain Deed of Trust made and executed by Benjamin T. Saunders and Loretta M. Saunders, his wife, dated July 13, 1979, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 315, Folio 292, default having been made in the payment of the money secured to be paid by said Deed of Trust and in the payment of the interest thereon, and in other covenants and conditions of said Deed of Trust, debt has become due and demandable, respectfully shown:

That after having given bond with security for the faithful performance of their trust, and after having complied with all the other prerequisites as required by law and the said power contained in said ~~mortgage~~ Deed of Trust, and after having given notice of the time, place, manner and terms of sale by advertisement in Marylander & Herald, a weekly newspaper published in said

HEARNE, FOX & BAILEY
ATTORNEYS AT LAW
SALISBURY, MD.
AREA CODE 301
749-5144
PROFESSIONAL ASSOCIATION

Somerset County for at least twenty days before the day of sale, as will appear by reference to the attached Certificate of Publication of said notice of sale, they did, pursuant to said notice, attend at the front door of the Court House in Princess Anne, Maryland, on Friday January 28, 1983, at 11:00 o'clock A.M., and then and there proceeded to sell the said real estate mentioned in said ~~mortgage~~ Deed of Trust in the manner following, that is to say:

Your Substitute Trustees offered at public auction to the highest bidder the real estate mentioned in said ~~mortgage~~ Deed of Trust, same being described as follows:

ALL that lot or parcel of land situate, lying and being in West Princess Anne Election District, Somerset County, State of Maryland, and more particularly described as follows: All that lot or parcel of land situate as aforesaid, being near, but not adjacent to Brownstone Road; beginning with a concrete marker and designated as Letter "A" on a plat entitled "Plat of Property Surveyed for Wilmore and Jeanne Sagle," made by G. Oliver Morrell, dated August 16, 1973, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 275, Folio 658; thence North 72 degrees 15 minutes West, by and with the lands now or formerly owned by Sidney C. Ennis, et al, to a concrete marker, a distance of 610 feet; thence North 72 degrees 15 minutes West, a distance of 9 feet; thence North 19 degrees 53 minutes 20 seconds East, a distance of 113.32 feet to a point; thence North 86 degrees 00 minutes 20 seconds East, a distance of 87.28 feet to a point; thence North 70 degrees 27 minutes 30 seconds East, a distance of 46.85 feet to a point; thence North 50 degrees 28 minutes East, a distance of 76.46 feet to a point; thence North 33 degrees 50 minutes East, a distance of 93.68 feet to a point located at a ditch; thence South 68 degrees 58 minutes East, a distance of 228.0 feet to a concrete marker; thence South 83 degrees 11 minutes East, a distance of 205.0 feet to a concrete

BOOK 048 PAGE 651

marker; thence South 17 degrees 45 minutes West, a distance of 354.0 feet to the place of beginning, together with a 20 foot right-of-way running from the above described property a distance of 865.70 feet to Brownstone Road as described on the aforesaid plat.

AND said Substitute Trustees as aforesaid, under and by virtue of the said power, sold the above described property unto FIRST SHORE FEDERAL SAVINGS AND LOAN ASSOCIATION, a corporation organized and existing under the laws of the United States of America, at and for the sum of TWENTY-EIGHT THOUSAND NINE HUNDRED AND 00/100 ($28,900.00), it being at that sum the highest bidder therefor, and the said purchase has complied with said terms of sale.

AND, the said Substitute Trustees as aforesaid, report and pray ratification of said sale as above reported.

Respectfully sumbitted,

Charles R. Dashiell, Jr.

Frederic E. Wierman

STATE OF MARYLAND, WICOMICO COUNTY, to-wit:

I HEREBY CERTIFY, That on this 28th day of January, A.D., 1983, before me, the subscriber, a Notary Public fo the State of Maryland, in and for Wicomico County aforesaid, personally appeared Charles R. Dashiell, Jr. and Frederic E. Wierman, Substitute Trustees as aforesaid, and made oath in due form of law that the matters and facts stated in the aforegoing Report of Sale are true to the best of their knowledge, information and belief, and that the sale therein reported was fairly made.

AS WITNESS my hand and Notarial Seal.

Notary Public

SHIRLEY C. GRAY NOTARY PUBLIC WICOMICO COUNTY, MD.

BOOK 048 PAGE 654

CHARLES E. HEARNE, JR. and JAMES P. BAILEY, Trustees named in a Deed of Trust	:	NO. 10970 CHANCERY
	:	IN THE CIRCUIT COURT FOR
	:	SOMERSET COUNTY
FROM	:	STATE OF MARYLAND
BENJAMIN T. SAUNDERS and LORETTA M. SAUNDERS, his wife Route 3, Box 372 Brownstone Road Princess Anne, Maryland 21853	:	

* * * * * * * * * * * * * * *

STATE OF MARYLAND, WICOMICO COUNTY, to-wit:

I HEREBY CERTIFY, That on this 28th day of January, A.D., 1983, before, the subscriber, a Notary Public of the State of Maryland, in and for Wicomico County aforesaid, personally appeared Frederic E. Wierman, one of the Substitute Trustees as aforesaid, and made oath in due form of law that in compliance with the Maryland Rules of Procedure, notice was given to Loretta M. Saunders, one of the mortgagors (Benjamin T. Saunders being deceased), at her last known address, of the sale of said property, by Certified Mail, which said certified mail was refused or unclaimed by said addressee, copy of respective being attached hereto as evidence thereof.

AS WITNESS my hand and Notarial Seal.

Shirley C. Gray
Notary Public

SHIRLEY C. GRAY
NOTARY PUBLIC
WICOMICO COUNTY, MD.

BOOK 048 PAGE 655

PRINCESS ANNE, MD., Jan 1 1983

This is to certify that the annexed Notice has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Notice

Dates Inserted: Jan 6, 13, 20, 27

Business Manager MARYLANDER and HERALD

HEARNE & BAILEY, P.A.
Colonial Building
Salisbury, Maryland 21801

TRUSTEES' SALE
OF VALUABLE REAL ESTATE
BROWNSTONE ROAD
PRINCESS ANNE, MARYLAND 21853

Under and by virtue of the power of sale contained in a certain Deed of Trust from Benjamin T. Saunders and Loretta M. Saunders, his wife, dated July 13, 1979, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 315, Folio 292, default having occurred in the covenants thereof, the undersigned, Trustees named in said Deed of Trust, will offer at public auction to the highest bidder, at the front door of the Court House in Princess Anne, Maryland, on

Friday, January 28, 1983
AT 11:00 O' CLOCK, A.M.

ALL that lot or parcel of land situate, lying and being in West Princess Anne Election District, Somerset County, State of Maryland, and more particularly described as follows: All that lot or parcel of land situate as aforesaid, being near, but not adjacent to Brownstone Road; beginning with a concrete marker and designated as Letter "A" on a plat entitled "Plat of Property Surveyed for Wilmore and Jeanne Sagle," made by G. Oliver Morrell, dated August 16, 1973, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 275, Folio 658; thence North 72 degrees 15 minutes West by and with the lands now or formerly owned by Sidney C. Ennis, et al, to a concrete marker a distance of 610 feet; thence North 72 degrees 15 minutes West a distance of 9 feet; thence North 19 degrees 53 minutes 20 seconds East a distance of 113.32 feet to a point; thence North 86 degrees 00 minutes 20 seconds East a distance of 87.28 feet to a point; thence North 70 degrees 27 minutes 30 seconds East, a distance of 46.85 feet to a point; thence North 50 degrees 28 minutes East a distance of 76.46 feet to a point; thence North 33 degrees 50 minutes East a distance of 93.68 feet to a point located at a ditch; thence South 68 degrees 58 minutes East a distance of 228.0 feet to a concrete marker; thence South 83 degrees 11 minutes East a distance of 205.0 feet to a concrete marker; thence South 17 degrees 45 minutes West, a distance of 354.0 feet to the place of beginning, together with a 20 foot right-of-way running from the above described property a distance of 865.70 feet to Brownstone Road as described on the aforesaid plat.

The property is improved by a two-story dwelling with five bedrooms, den livingroom, dining room, kitchen and one and one-half baths.

TERMS OF SALE: Ten per cent (10%) cash on day of sale, balance to be secured to the satisfaction of the sellers, to bear interest at the rate of ten and three-quarters per centum (10¾%) per annum, and to be payable upon ratification of the sale, or all cash at the option of the purchaser, with title papers, revenue stamps and transfer tax at the expense of the purchaser and taxes and other public charges adjusted as of the date of sale.

CHARLES E. HEARNE, JR.
JAMES P. BAILEY
Trustees
Colonial Building
Salisbury, Maryland 21801
301-749-5144

4tc 1/6

HEARNE & BAILEY, P.A.
Colonial Building
Salisbury, Maryland 21801

* *

TRUSTEES' SALE OF VALUABLE REAL ESTATE
Brownstone Road, Princess Anne, Maryland 21853

* *

Under and by virtue of the power of sale contained in a certain Deed of Trust from Benjamin T. Saunders and Loretta M. Saunders, his wife, dated July 13, 1979, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 315, Folio 292, default having occurred in the covenants thereof, the undersigned, Trustees named in said Deed of Trust, will offer at public auction to the highest bidder, at the front door of the Court House in Princess Anne, Maryland, on

FRIDAY, JANUARY 28, 1983

AT 11:00 O'CLOCK, A.M.

ALL that lot or parcel of land situate, lying and being in West Princess Anne Election District, Somerset County, State of Maryland, and more particularly described as follows: All that lot or parcel of land situate as aforesaid, being near, but not adjacent to Brownstone Road; beginning with a concrete marker and designated as Letter "A" on a plat entitled "Plat of Property Surveyed for Wilmore and Jeanne Sagle," made by G. Olvier Morrell, dated August 16, 1973, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 275, Folio 658; thence North 72 degrees 15 minutes West by and with the lands now or formerly owned by Sidney C. Ennis, et al, to a concrete marker a distance of 610 feet; thence North 72 degrees 15 minutes West a distance of 9 feet; thence North 19 degrees 53 minutes 20 seconds East a distance of 113.32 feet to a point; thence North 86 degrees 00 minutes 20 seconds East a distance of 87.28 feet to a point; thence North 70 degrees 27 minutes 30 seconds East, a distance of 46.85 feet to a point; thence North 50 degrees 28 minutes East a distance of 76.46 feet to a point; thence North 33 degrees 50 minutes East a distance of 93.68 feet to

a point located at a ditch; thence South 68 degrees 58 minutes East a distance of 228.0 feet to a concrete marker; thence South 83 degrees 11 minutes East a distance of 205.0 feet to a concrete marker; thence South 17 degrees 45 minutes West, a distance of 354.0 feet to the place of beginning, together with a 20 foot right-of-way running from the above described property a distance of 865.70 feet to Brownstone Road as described on the aforesaid plat.

The property is improved by a two-story dwelling with five bedrooms, den, living room, dining room, kitchen and one and one-half baths.

TERMS OF SALE: Ten per cent (10%) cash on day of sale, balance to be secured to the satisfaction of the sellers, to bear interest at the rate of ten and three-quarters per centum (10-3/4%) per annum, and to be payable upon ratification of the sale, or all cash at the option of the purchaser, with title papers, revenue stamps and transfer tax at the expense of the purchaser and taxes and other public charges adjusted as of the date of sale.

CHARLES E. HEARNE, JR.
JAMES P. BAILEY
Trustees
Colonial Building
Salisbury, Maryland 21801

301-749-5144

1/6, 1/13, 1/20, 1/27

LAW OFFICES
HEARNE & BAILEY, P. A.
COLONIAL BUILDING
P. O. BOX 138
SALISBURY, MD. 21801
(301) 749-5144

JAMES P. BAILEY
FREDERIC E. WIERMAN
L. RICHARD PHILLIPS
FULTON P. JEFFERS
CHARLES R. DASHIELL, JR.
DIRK W. WIDDOWSON
ROBIN R. COCKEY

CHARLES E. HEARNE, JR.
COUNSEL TO THE FIRM

WORCESTER COUNTY OFFICE
105 PEARL STREET
P. O. BOX 343
SNOW HILL, MARYLAND 21863
(301) 632-0990

January 18, 1983

Mrs. Loretta M. Saunders
Route 3, Box 372
Brownstone Road
Princess Anne, Maryland 21853

Dear Mrs. Saunders:

In accordance with the Maryland Rules of Procedure, this letter is to notify you that your property located near, but not adjacent to, Brownstone Road, Princess Anne, Maryland, will be sold at public auction on Friday, January 28, 1983, at 11:00 o'clock, A.M., at the Court House door in Princess Anne, Maryland, to satisfy the Deed of Trust against the same held by First Shore Federal Savings and Loan Association.

The terms of sale are: Ten per cent (10%) cash on day of sale, balance to be secured to the satisfaction of the sellers, to bear interest at the rate of ten and three-quarters per centum (10-3/4%) per annum, and to be payable upon ratification of the sale, or all cash at the option of the purchaser, with title papers, revenue stamps and transfer tax at the expense of the purchaser and taxes and other public charges adjusted as of the date of sale.

I am enclosing herewith a copy of the legal advertisement which has appeared in the Marylander and Herald, Princess Anne, Maryland, on January 6 and January 13, 1983, and which will appear in the Marylander and Herald on January 20 and January 27, 1983. This advertisement will give you a description of the property being sold as well as the time, place and terms of sale.

Very truly yours,

Charles R. Dashiell, Jr.

Charles R. Dashiell, Jr.

CRD:scg

enclosure
CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Chancery Case 10,970

BOOK 048 PAGE 659

LAW OFFICES
HEARNE & BAILEY, P. A.
COLONIAL BUILDING
P. O. BOX 138
SALISBURY, MD. 21801

CERTIFIED
P 213 849 734
MAIL

CERTIFIED MAIL
RETURN RECEIPT
REQUESTED

AUTHORIZED TIME FOR FORWARDING HAS EXPIRED

Mrs. Loretta M. Saunders
Route 3, Box 372
Brownstone Road
Princess Anne, Maryland 21853

A F F I D A V I T

STATE OF MARYLAND, WICOMICO COUNTY, to-wit:

I HEREBY CERTIFY, That on this 28th day of January, A.D., 19 83, before me, the subscriber, a Notary Public of the State of Maryland, in and for Wicomico County aforesaid, personally appeared John W. Laws, Vice President of First Shore Federal Savings and Loan Association the purchaser named in this Report of Sale, and made oath in due form of law as follows:

(1) That I, John W. Laws, attended the sale of the property described in the mortgage filed in these proceedings held in Princess Anne, Maryland, on Friday, January 28, 19 83, and purchased the same for First Shore Federal Savings and Loan Association

(2) That no other persons, firms or corporations are financially interested or involved, as principal or otherwise.

(3) That neither I nor anyone on my behalf directly or indirectly discouraged anyone from bidding on said property.

Affiant

SUBSCRIBED AND SWORN TO, before me, this 28th day of January, A.D., 19 83.

Notary Public

HEARNE & BAILEY, P.A.

ATTORNEYS AT LAW

CHARLES E. HEARNE, JR. and JAMES P. BAILEY, Trustees named in a Deed of Trust	:	NO. 10970 CHANCERY
	:	IN THE CIRCUIT COURT FOR
FROM	:	SOMERSET COUNTY
	:	STATE OF MARYLAND
BENJAMIN T. SAUNDERS and LORETTA M. SAUNDERS, his wife Route 3, Box 372 Brownstone Road Princess Anne, Maryland 21853	:	

ORDER NISI

ORDERED, by the Circuit Court for Somerset County and State of Maryland, in Equity, this 4th day of February, A.D., 19 83, that the sale of the property mentioned in these proceedings and the distribution of the funds arising from said sale, made and reported by Charles R. Dashiell, Jr. and Frederic E. Wierman, Substitute Trustees

be ratified and confirmed, unless cause to the contrary be shown on or before the 7th day of March, A.D., 19 83, provided a copy of this Order be inserted in some weekly newspaper published in said Somerset County once in each of three successive weeks before the 28th day of Feb, A.D., 19 83.

The report states the amount of sale to be TWENTY-EIGHT THOUSAND NINE HUNDRED AND 00/100 ---------- DOLLARS ($ 28,900.00).

CLERK

BOOK 048 PAGE 661

BOOK 048 PAGE 662

PRINCESS ANNE, MD., March 8 1983

This is to certify that the annexed Notice has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Notice

Dates Inserted: Feb 10, 17, 24

Bryan Byrd

Business Manager MARYLANDER and HERALD

HEARNE & BAILEY, P.A.
Attorneys At Law

CHARLES E. HEARNE, JR. and
JAMES P. BAILEY, Trustees
named in a Deed of Trust

FROM

BENJAMIN T. SAUNDERS and
LORETTA M. SAUNDERS, his wife
Route 3, Box 372
Brownstone Road,
Princess Anne, Maryland 21853

No. 10970 CHANCERY
IN THE CIRCUIT COURT FOR
SOMERSET COUNTY
STATE OF MARYLAND

ORDER NISI

ORDERED, by the Circuit Court for Somerset County and State of Maryland, in Equity, this 4th day of February, A.D., 1983, that the sale of the property mentioned in these proceedings and the distribution of the funds arising from said sale, made and reported by Charles R. Dashiell, Jr. and Frederic E. Wierman, Substitute Trustees be ratified and confirmed, unless cause to the contrary be shown on or before the 7th day of March, A.D., 1983, provided a copy of the Order be inserted in some weekly newspaper published in said Somerset County once in each of three successive weeks before the 28th day of February, A.D., 1983.

The report states the amount of sale to be twenty-eight thousand nine hundred and 00/100 dollars ($28,900.00).

I. THEODORE PHEOBUS
Clerk

TRUE COPY, TEST:
I. Theodore Pheobus, Clerk 3tc 2/10

.ıancery No. 10970
Saunders

FINAL ORDER OF RATIFICATION

ORDERED, this 14th day of March, A.D., 1983, by the Circuit Court for Somerset County, Maryland, in Equity, that the sale and distribution of the funds arising from said sale, made and reported by Charles R. Dashiell, Jr. and Frederic E. Wierman, Substitute Trustees under power contained in the aforesaid Deed of Trust be,and the same is,hereby finally ratified and confirmed, no cause to the contrary having been shown, although due notice appears to have been given as required by the Order Nisi passed in said cause, and BE IT FURTHER ORDERED that the papers of this proceeding ~~need not~~ be referred to the Court Auditor to state an account therein.

Lloyd L. Simpkins
JUDGE

BOOK 048 PAGE 663

BOOK 048 PAGE 664

CHARLES E. HEARNE, JR. and JAMES P. BAILEY, Trustees named in a Deed of Trust	*	NO. 10,970 CHANCERY
	*	IN THE CIRCUIT COURT
FROM	*	FOR SOMERSET COUNTY
BENJAMIN T. SAUNDERS and LORETTA M. SAUNDERS, his wife	*	STATE OF MARYLAND

*

FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he made an examination of the proceedings in the above entitled cause and from them and the list of expenses furnished him therein, states the following Account:

Amount of Sale			$ 28,900.00
Fees, Costs, Expenses, Etc.:			
I. Theodore Phoebus, Court costs		$ 188.50	
Marylander and Herald			
Advertising	250.64		
Order Nisi	50.00	300.64	
Fidelity and Deposit Company, Bond		106.00	
Auctioneer's Fee		50.00	
Auditor's Fee		65.00	
Hearne & Bailey, Trustee's Commission		1,445.00	
Hearne & Bailey - Fee for preparation of Trustee Substitution		35.00	
Notary Fees		5.00	
Total Fees, Costs, Expenses, Etc.		$2,195.14	
Balance to be Distributed			$ 26,704.86
Mortgage Debt			
Principal Balance	$26,130.55		
Interest from 11/1/82 to 1/28/83	686.40		
Interest from 1/28/83 to 4/20/83 ($7.80 per diem rate)	639.60		
Total Mortgage Debt			27,456.55
Deficit			$ 751.69

ALL EXCEPTIONS to said report must be filed within fifteen (15) days of the date of filing; if no exceptions are filed, the account may be ratified.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing on the date of the filing of the Audit notice of this report to the following parties by regular U.S. mail:

Charles R. Dashiell, Jr., Esquire
and Frederic E. Wierman, Esquire
126 East Main Street, P.O. Box 138
Salisbury, Maryland 21801

Benjamin T. Saunders
Route 3, Box 372
Brownstone Road
Princess Anne, MD
21853

Loretta Saunders
Route 3, Box 372
Brownstone Road
Princess Anne, MD
21853

LOGAN C. WIDDOWSON
ATTORNEY AT LAW
NORTH SOMERSET AVENUE
PRINCESS ANNE, MD. 21853
651-3800

LCW/gjb
4/5/83
83 # 134

Logan C. Widdowson, Auditor

Date of Filing: April 5, 1983

No. 10,970 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 5th day of April, 19 83 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the 20th day of April, 19 83.

L. Theodore Phoebus
CLERK

No exceptions having been filed, and no cause to the contrary having been shown, IT IS ORDERED by the Circuit Court for Somerset County, in Equity, this _____ day of _____, 19_____ that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

_____
CLERK

BOOK 348 PAGE 666

CHARLES E. HEARNE, JR. and JAMES P. BAILEY, Trustees named in a Deed of Trust	*	NO. 10,970 CHANCERY
	*	IN THE CIRCUIT COURT
FROM	*	FOR SOMERSET COUNTY
BENJAMIN T. SAUNDERS and LORETTA M. SAUNDERS, his wife	*	STATE OF MARYLAND
	*	

REVISED FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he made an examination of the proceedings in the above entitled cause and from them and the list of expenses furnished him therein, states the following Account:

Amount of Sale				$ 28,900.00
Fees, Costs, Expenses, Etc.:				
I. Theodore Phoebus, Court costs			$ 118.50 *1	
Marylander and Herald				
Advertising	250.64			
Order Nisi	50.00		300.64	
Fidelity & Deposit Company, Bond			106.00	
Auctioneer's Fee			50.00	
Auditor's Fee			65.00	
Hearne & Bailey, Trustee's Commission			1,445.00	
Hearne & Bailey - Fee for preparation of Trustee Substitution			35.00	
Notary Fees			5.00	
Total Fees, Costs, Expenses, Etc.			$ 2,125.14	
Balance to be Distributed				$ 26,774.86
Mortgage Debt				
Principal Balance		$26,130.55		
Interest from 11/1/82 to 1/28/83		686.40		
Interest from 1/28/83 to 4/20/83 ($7.80 per diem rate)		639.60		
Late charge as allowed in note		96.20		
Total Mortgage Debt				$ 27,552.75
Deficit				$ 777.89

ALL EXCEPTIONS to said report must be filed within fifteen (15) days of the date of filing; if no exceptions are filed, the account may be ratified.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing on the date of the filing of the Audit notice of this report to the following parties by regular U.S. Mail.:

Charles R. Dashiell, Jr., Esquire
and Frederic E. Wierman, Esquire
126 East Main Street, P.O. Box 138
Salisbury, Maryland 21801

Benjamin T. Saunders
Route 3, Box 372
Brownstone Road
Princess Anne, MD
21853

Loretta Saunders
Route 3, Box 372
Brownstone Road
Princess Anne, MD
21853

Logan C. Widdowson, Auditor

Date of Filing: April 12, 1983

*1 Mortgagors have reimbursed for $70.00 of total costs ($188.50)

LOGAN C. WIDDOWSON
ATTORNEY AT LAW
NORTH SOMERSET AVENUE
PRINCESS ANNE, MD. 21853
651-3800

LCW/gjb
4/12/83
83 # 135

No. 10,970 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 12th day of April, 19 83 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the 27th day of April, 19 83.

L. Theodore Phoebus
CLERK

No exceptions having been filed, and no cause to the contrary having been shown, IT IS ORDERED by the Circuit Court for Somerset County, in Equity, this 27th day of May, 19 83 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

L. Theodore Phoebus
CLERK

CHARLES E. HEARNE, JR. and JAMES P. BAILEY, TRUSTEES NAMED IN A DEED OF TRUST	:	NO. 10,970 CHANCERY
	:	IN THE CIRCUIT COURT FOR
	:	SOMERSET COUNTY
FROM	:	STATE OF MARYLAND
BENJAMIN T. SAUNDERS and LORETTA M. SAUNDERS, his wife ROUTE 3, BOX 372 BROWNSTONE ROAD PRINCESS ANNE, MARYLAND 21853	:	

* * * * * * * * * * *

The Petition of Charles E. Hearne, Jr. and James P. Bailey, Trustees, John W. Laws, Vice President of First Shore Federal Savings and Loan Association, and First Shore Federal Savings and Loan Association, respectfully represent:

That Charles E. Hearne, Jr. and James P. Bailey, Trustees of Deed of Trust filed for foreclosure in the above-entitled cause, sold the property therein described unto John W. Laws, agent for First Shore Federal Savings and Loan Association, on Friday, January 28, 1983, at 11:00 A.M. at the front door of the Court House in Princess Anne, Maryland, and First Shore Federal Savings and Loan Association has, prior to receiving a Deed for said property from said Trustees, sold said property unto Michael J. Walsh, Sr. and Margaret M. Walsh, his wife;

WHEREFORE, your Petitioners pray:

That an Order may be passed authorizing the conveyance of the subject property to be made to Michael J. Walsh, Sr. and Margaret M. Walsh, his wife, in the place and stead of First Shore Federal Savings and Loan Association.

HEARNE & BAILEY, P.A.
ATTORNEYS AT LAW
SALISBURY, MD.
AREA CODE 301
749-5144

Respectfully submitted,

Charles E. Hearne, Jr., Trustee

James P. Bailey, Trustee

John W. Laws, Vice President of
First Shore Federal Savings and
Loan Association

FIRST SHORE FEDERAL SAVINGS AND
LOAN ASSOCIATION

By

CHARLES E. HEARNE, JR. and JAMES P. BAILEY, TRUSTEES NAMED IN A DEED OF TRUST	:	NO. 10,970 CHANCERY
	:	IN THE CIRCUIT COURT FOR
	:	SOMERSET COUNTY
FROM	:	STATE OF MARYLAND
BENJAMIN T. SAUNDERS and LORETTA M. SAUNDERS, his wife ROUTE 3, BOX 372 BROWNSTONE ROAD PRINCESS ANNE, MARYLAND 21853	:	

* * * * * * * * * * *

ORDER COURT

The above Petition having been read and considered, it is thereupon this 6th day of Sept., A.D., 1983, ORDERED by the Circuit Court for Somerset County, Maryland, that the conveyance of the real property described in these proceedings be made to Michael J. Walsh, Sr. and Margaret M. Walsh, his wife, in the place and stead of First Shore Federal Savings and Loan Association.

Edward L. Dryden
JUDGE

APR 19 1984
Exd.

OCT 14 81 B 029492D ******5.00
OCT 14 81 B 029489 *****10.00
OCT 14 81 B 029488 *****40.00
OCT 14 81 B 029487 *****60.00

City of Crisfield	:	No. 4175 Chancery
vs	:	In the Circuit Court for
John West Ennals and Pearlie Mae Ennals, et al	:	Somerset County, Maryland

Mr. Clerk:

Please file the within bill of complaint, affidavit, certificates of sale and issue subpoenas for all party defendants named in said bill who are residents of this state and issue an order of publication as prescribed by Sections 106 and 107 of Article 81 of the Annotated Code of Maryland.

JONES & JONES

By Tony Bruce

Attorneys for Complainant
Princess Anne, Maryland
Telephone: 651-2747

City of Crisfield, a municipal corporation, Crisfield, Maryland 21817 : No. 11,175 Chancery

: In the Circuit Court for

vs : Somerset County, Maryland

John West Ennals and Pearlie Mae Ennals and all persons having, or claiming to have, any interest in certain property in Crisfield District described as follows: "all that lot or parcel of land on the north side of Tyler Street shown on a plat by G. Oliver Morrell, Surveyor, dated June 1, 1965 (File D-916) recorded 228, folio 236 conveyed unto John West Ennals and Pearlie Mae Ennals by Virginia Tawes Sterling, et vir, by deed dated June 30, 1965 recorded among the Land Records of Somerset County in Liber I.T.P. No. 228, folio 234 shown on tax map 3 in block 29 as parcel 13," and whose last known address is 617 Wells Street, Cambridge, Maryland 21613.

and

L. Kirby Morgan and Edna Mae Morgan, and all persons having, or claiming to have, any interest in certain property in Crisfield Election District described as follows: "all that lot or parcel of land 33' x 150' on the east side of Third Street conveyed unto L. Kirby Morgan and Edna Mae Morgan by William E. Gibson by deed dated December 23, 1944 recorded among the Land Records of Somerset County in Liber B.L.B. No. 128, folio 354 shown on tax map 3 in block 34 as parcels 13 and 14," and whose last known address is 105 Third Street, Crisfield, Maryland 21817.

and

Alma Ward and Mattie Miles a/k/a Mattie Miles Horsey, and all persons having, or claiming to have, any interest in certain property in Crisfield Election District, described as follows: "all that lot or parcel of land 15.5' x 35.5' on the east side of Fourth Street being parcel 2 on a plat by W. Ballard Miles dated June 11, 1951 (File D-139) in plat book 154, folio 474 devised unto Alma Ward and Mattie Miles (a/k/a Mattie Miles Horsey) by Samuel F. Hudgen by Will recorded in F.E.D. No. 35, folio 211 shown on tax map 3 in block 29 as parcel 24," and whose last known address is 2512 W. Dakota Street, Philadelphia, Pennsylvania.

and

Dominick Lanno, and all persons having, or claiming to have, any interest in certain property in Crisfield Election District described as follows: "all that lot fronting 46 feet on the North side of Cove Street conveyed unto Dominick Lanno by Ibbie M. Britton by deed dated July 12, 1939 and recorded in the Land Records of Somerset County in Liber B.L.B. No. 116, folio 101 shown on tax map 3 in block 34 as parcel 21," and whose last known address is 204 Cove Street, Crisfield, Maryland 21817

and

Virginia Tawes Sterling, whose last known address is 12 S. Somerset Avenue, Crisfield, Maryland 21817 and whose interest in this proceeding is hereinafter set forth.

and

Peninsula Bank, whose last known address is S. Somerset Avenue, Princess Anne, Maryland 21853 and whose interest in this proceeding is hereinafter set forth.

and

John Sibrea and Millard Bloom, Trustees for Finance America, whose last known address is 5006 Sinclair Lane, Baltimore, Maryland and whose interest in this proceeding is hereinafter set forth.

BILL OF COMPLAINT

To the Honorable, the Judge of said Court:

Your Complainant, City of Crisfield, by Jones & Jones, its attorneys, files this Bill of Complaint to Foreclose Certain Rights of Redemption as provided by Article 81, Section 97, et seq. of the Annotated Code of Maryland, and in support thereof, says:

1. That on the 5th day of June, 1980, there was issued to the City of Crisfield, the complainant herein, whose address appears above, by Julian C. Tyler, Collector of Taxes for the City of Crisfield, the following certificates of sale, to wit:

(a) A certificate showing payment by the said City of Crisfield unto the said Collector the sum of $1397.34 for which he had issued a certificate of tax sale showing sale to the said City of Crisfield on said 5th day of June, 1980 of the following real estate, namely: "all that lot or parcel of land on the north side of Tyler Street shown on a plat by G. Oliver Morrell, Surveyor, dated June 1, 1965 (File D-916) recorded 228, folio 236 conveyed unto John West Ennals and Pearlie Mae Ennals by Virginia Tawes Sterling, et vir, by deed dated June 30, 1965 recorded among the Land Records of Somerset County in Liber I.T.P. No. 228, folio 234 shown on tax map 3 in block 29 as parcel 13."

(b) A certificate showing payment by the said City of Crisfield unto the said Collector the sum of $502.01 for which he had issued a certificate of tax sale showing sale to the said City of Crisfield on said 5th day of June, 1980 of the following real estate, namely: "all that lot or parcel of land 33' x 150' on the east side of Third Street conveyed unto L. Kirby Morgan and Edna Mae Morgan by William E. Gibson by deed dated December 23, 1944 and recorded among the Land Records of Somerset County in Liber B.L.B. No. 128, folio 354 shown on tax map 3 in block 34 as parcels 13 and 14."

(c) A certificate showing payment by the said City of Crisfield unto the said Collector for sum of $949.29 for which he had issued a certificate of tax sale showing sale to the said City of Crisfield on said 5th day of June, 1980 of the following real estate, namely: "all that lot or

parcel of land 15.5' x 35.5' on the east side of Fourth Street being parcel 2 on a plat by W. Ballard Miles dated June 11, 1951 (File D-139) in plat book 154, folio 474 devised unto Alma Ward and Mattie Miles (a/k/a Mattie Miles Horsey) by Samuel F. Hudgen by Will recorded in F.E.D. No. 35, folio 211 shown on tax map 3 in block 29 as parcel 24."

(d) A certificate showing payment by the said City of Crisfield unto the said Collector for the sum of $834.43 for which he had issued a certificate of tax sale showing sale to the said City of Crisfield on said 5th day of June, 1980, of the following real estate, namely: "all that lot fronting 46 feet on the north side of Cove Street conveyed unto Dominick Lanno by Ibbie M. Britton by deed dated July 12, 1939 and recorded in the Land Records of Somerset County in Liber B.L.B. No. 116, folio 101 shown on tax map 3 in block 34 as parcel 21."

2. That said certificates of sale are attached to this Bill of Complaint as a part hereof.

3. That none of the above properties have been redeemed by any parties in interest, although more than one year from the date of said sale has expired.

4. That the Complainant has caused the Land and Testamentary Records of Somerset County, Maryland, to be examined by Tony Bruce, a member of the Bar of Maryland, whose affidavit is attached hereto and, in reliance upon it your Complainant alleges and avers as follows:

(a) That as to the property assessed to John West Ennals and Pearlie Mae Ennals said records indicate that the property was conveyed to John West Ennals and Pearlie Mae Ennals by Virginia Tawes Sterling and husband by deed dated June 30, 1965 and recorded among the L nd Records of Somerset County in Liber I.T.P. No. 228, folio 234, to which said deed was attached a plat by G. Oliver Morrell (File D-916) recorded in Liber I.T.P. No. 228, folio 236. The property is subject to a mortgage from John West Ennals and Pearlie Mae Ennals to Virginia Tawes Sterling dated June 30, 1965 and recorded among the aforesaid Land Records in Liber I.T.P. No. 227, folio 163 in the original amount of $4170.00. The records reveal no further mortgages or off conveyances of said property and further that the amount necessary for the redemption of said property is $1509.13 including costs of sale, taxes and interest through

June 1981 in addition to those costs and disbursements provided for in Article 81, Section 111 of the aforesaid Code.

(b) That as to the property assessed to L. Kirby Morgan and Edna Mae Morgan said records indicate that the property was conveyed to L. Kirby Morgan and Edna Mae Morgan by William E. Gibson by deed dated December 23, 1944 and recorded among the aforesaid Land Records in Liber B.L.B. No. 128, folio 354 in which said deed the land was described as being partially laid down and described on a plat by W. Ballard Miles dated March 26, 1947 (File D-319) and recorded in Plat Book No. 1, folio 68. Edna Mae Morgan died intestate on February 13, 1980 and her estate was administered in the Orphans Court for Somerset County as Estate No. 398, recorded in Liber L.T.D. No. 17, folio 459. The records reveal no off conveyance of said property and further that the amount necessary for the redemption of said property is $542.17 including costs of sale, taxes and interest through June 1981 in addition to those costs and disbursements provided for in Article 81, Seciton 111 of the aforesaid Code.

(c) That as to the property assessed to Alma Ward and Mattie Miles (a/k/a Mattie Miles Horsey) said records indicate that the property was devised unto Alma Ward and Mattie Miles (a/k/a Mattie Miles Horsey) by Samuel F. Hudgen by Will dated May 17, 1945 and recorded among the Testamentary Records of Somerset County in Liber F.E.D. No. 35, folio 211 by Item Second of said Will, being depicted as parcel 2 on a plat W. Ballard Miles dated June 11, 1951 (File D-138) recorded in Liber B.L.B. No. 154, folio 474. Said land is a part of the land conveyed unto Samuel F. Hudgins by William F. Bradshaw, et al by deed dated February 2, 1900 and recorded in Liber O.T.B. No. 27, folio 293. The lines of said property were modified by deed of partition by Bertha Croswell, et al, dated June 19, 1951 and recorded in Liber B.L.B. No. 154, folio 472. The property is subject to two judgments in favor of Peninsula Bank against Alma R. Ward, et al, the first dated October 29, 1976 in No. 76CV576 and the second dated June 19, 1978 in No. 78CV276 in the District Court of Maryland for Somerset County. The property is also subject to a deed of trust to John Sibrea and Millard Bloom, Trustees for Finance America, from Alma Ward and husband dated May 24, 1979, recorded October 4, 1979 in Liber I.T.P. No. 316, folio 720, in the original amount of $6760.80. The records reveal no further

off conveyances of said property and further that the amount necessary for the redemption of said property is $1025.23 including costs of sale, taxes and interest through June 1981 in addition to those costs and disbursements provided for in Article 81, Section 111 of the aforesaid Code.

(d) That as to the property assessed to Domminick Lanno said records indicate that the property was conveyed to Domminick Lanno by Ibbie M. Britton by deed dated July 12, 1939 and recorded in Liber B.L.B. No. 116, folio 101 in which said deed the land was described as being 46 feet on Cove Street. Said land is a part of the land conveyed unto Ibbie M. Britton by Frederick L. Godman by deed dated November 1, 1906 and recorded in Liber S.F.D. No. 44, folio 293. Since that time Ibbie M. Britton conveyed a portionof said land to Merrill T. Evans by deed dated February 14, 1934 and recorded in Liber J.M.T. No. 105, folio 545. The records reveal no further off conveyances of said property and further that the amount necessary for the redemption of said property is $901.18 including costs of sale, taxes and interest through June 1981 in addition to those costs and disbursements provided for in Article 81, Section 111 of the aforesaid Code.

5. That in reliance upon the aforesaid affidavit your complainant alleges and avers that there have been no other off conveyances of record against the real estate standing in the names of the aforesaid property owners or heirs of them and further that there is no record of any administration in said Somerset County on the estates of any of the said parties except as set forth herein. It is not known whether the said parties left heirs-at-law surviving them who might be entitled to the real estate of which they were seized as aforesaid, wherefore your complainant has joined in these proceedings all persons having or claiming to have any interest in any of said properties.

WHEREFORE, the complainant prays your Honors:

(a) That summons may be issued for the said named defendants.

(b) That your Honors may grant unto your complainant the order of publication directed to said named defendants, if living and absent from the jurisdiction, and all persons having or claiming to have any interest in the aforesaid properties.

(c) That this Honorable Court may pass a final decree as provided in Article 81, Section 112 foreclosing all rights of redemption of the defendants and of any of them in and to any and all of the real estate of which they are assessed.

(d) And further direct the Collector of Taxes for the City of Crisfield to execute a deed to the complainant as provided in Section 115 of Article 81.

(e) That your complainant may have such other and further relief as its case may require.

And as in duty bound, etc.

CITY OF CRISFIELD

By Charles A. McClenahan, Mayor

JONES & JONES

By Tony Bruce

Tony Bruce
Attorneys for Complainant
Princess Anne, Maryland
Telephone: 651-2747

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 24 day of August, in the year nineteen hundred and eighty-one, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Charles A. McClenahan, Mayor of the City of Crisfield, and made oath in due form of law that the matters and facts set forth and contained in the aforegoing bill of complaint are true as therein stated, to the best of his knowledge, information and belief, and signed same in my presence.

As witness my hand and Notarial Seal the day and year above written.

Helen Dize
Notary Public

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

I hereby certify, that on this 31st day of August, in the year nineteen hundred and eighty-one, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Tony Bruce, and being duly sworn, did depose and say that he is a member of the Bar of the State of Maryland and has been practicing his profession therein in said Somerset County for over six years and that he made an examination of the public records of Somerset County, Maryland, to ascertain whether there have been any conveyances by or liens against the owners of the property described in the bill of complaint filed in this proceeding with respect to the properties described in said bill of complaint; that said examination reveals the following:

(a) That as to the property assessed to John West Ennals and Pearlie Mae Ennals said records indicate that the property was conveyed to John West Ennals and Pearlie Mae Ennals by Virginia Tawes Sterling and husband by deed dated June 30, 1965 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 228, folio 234, to which said deed was attached a plat by G. Oliver Morrell (File D-916) recorded among said Land Records in Liber I.T.P. No. 228, folio 236. The property is subject to a mortgage from John West Ennals and Pearlie Mae Ennals to Virginia Tawes Sterling dated June 30, 1965 and recorded among the aforesaid Land Records in Liber I.T.P. No. 227, folio 163 in the original amount of $4170.00. The records reveal no further mortgages or off conveyances of said property.

(b) That as to the property assessed to L. Kirby Morgan and Edna Mae Morgan said records indicate that the property was conveyed to L. Kirby Morgan and Edna Mae Morgan by William E. Gibson by deed dated December 23, 1944 and recorded among the aforesaid land Records in Liber B.L.B. No. 128, folio 354 in which said deed the land was described as being partially laid down and described on a plat by W. Ballard Miles dated March 26, 1947 (File D-319) and recorded in Plat Book No. 1, folio 68. Edna Mae Morgan died intestate on February 13, 1980 and her estate was administered in the Orphans Court for Somerset County as Estate No. 398, recorded in Liber L.T.D. No. 17, folio 459. The records reveal no off conveyances of said property.

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

(c) That as to the property assessed to Alma Ward and Mattie Miles (a/k/a Mattie Miles Horsey) said records indicate that the property was devised unto Alma Ward and Mattie Miles (a/k/a Mattie Miles Horsey) by Samuel F. Hudgen by Will dated May 17, 1945 and recorded among the Testamentary Records of Somerset County in Liber F.E.D. No. 35, folio 211 by Item Second of said Will, being depicted as parcel 2 on a plat by W. Ballard Miles dated June 11, 1951 (File D-138) recorded in Liber B.L.B. No. 154, folio 474. Said land is a part of the land conveyed unto Samuel F. Hudgins by William F. Bradshaw, et al by deed dated February 2, 1900 and recorded in Liber O.T.B. No. 27, folio 293. The lines of said property were modified by deed of partition by Bertha Croswel, et al, dated June 19, 1951 and recorded in Liber B.L.B. No. 154, folio 472. The property is subject to two judgments in favor of Peninsula Bank against Alma R. Ward, et al, the first dated October 29, 1976 in No. 76CV576 and the second dated June 19, 1978 in No. 78CV276 in the District Court of Maryland for Somerset County. The property is also subject to a deed of trust to John Sibrea and Millard Bloom, Trustees for Finance America, from Alma Ward and husband dated May 24, 1979, recorded October 4, 1979 in Liber I.T.P. No. 316, folio 720, in the original amount of $6760.80. The records reveal no further off conveyances of said property.

(d) That as to the property assessed to Domminick Lanno said records indicate that the property was conveyed to Domminick Lanno by Ibbie M. Britton by deed dated July 12, 1939 and recorded in Liber B.L.B. No. 116, folio 101 in which said deed the land was described as being 46 feet on Cove Street. Said land is a part of the land conveyed unto Ibbie M. Britton by Frederick L. Godman by deed dated November 1, 1906 and recorded in Liber S.F.D. No. 44, folio 293. Since that time Ibbie M. Britton conveyed a portion of said land to Merrill T. Evans by deed dated February 14, 1934 and recorded in Liber J.M.T. No. 105, folio 545. The records reveal no further off conveyances of said property.

The said Tony Bruce did further depose and say that there have been no other off conveyances of record against the real estate standing in the names of the aforesaid property owners or heirs of them and further that there is no

record of any administration in Somerset County on the estates of any of said parties except as noted above. It is not known whether the said parties are living or dead or if dead, what heirs-at-law they left surviving them who might be entitled to the real estate of which they were seized as aforesaid.

As witness my hand and Notarial Seal the day and year above written.

NOTARY PUBLIC

Patsy E. Ake
Notary Public

CERTIFICATE OF SALE

I, Julian C. Tyler, Collector of Taxes for the City of Crisfield, a municipal corporation of the State of Maryland and the Clerk-Treasurer of the City of Crisfield, hereby certify that on June 5, 1980, I sold to City of Crisfield, of the following address _____, at public auction for the sum of one thousand ninety-seven Dollars and thirty-four Cents ($1397.34) of which Thirteen hundred ninety-seven Dollars and thirty-four Cents ($ 1397.34) represent the total amount due for collection, the receipt of which is hereby acknowledged, the property located in the City of Crisfield, Crisfield Election District, Somerset County, Maryland described as # 19 in the advertisement of sale (which is incorporated by reference) and assessed to John West Ennals and Pearlie Mae Ennals. The property described herein is subject to redemption. Upon redemption the holder of this certificate will be refunded the sums paid on account of the purchase price together with interest thereon at the rate of six per cent per annum from the date hereof to the date of redemption together with all other amounts specified by Chapter 761 of the Acts of 1943 and acts amendatory thereof. All taxes, liens and costs together with interest and penalties thereon, accruing subsequent to the date of sale, must be paid to the Collector before a deed can be delivered to the purchaser. After one year from date, a proceeding can be brought to foreclose all rights of redemption in the property. This Certificate will be void unless such a proceeding is brought within two years from the date of this certificate.

As witness my hand and seal this fifth day of June, 1980.

Julian C. Tyler (SEAL)
Julian C. Tyler
Collector

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 5th day of June in the year nineteen hundred and eighty, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Julian C. Tyler, and acknowledged the aforegoing Certificate of Sale to be his act and deed, and signed same in my presence.

As witness my hand and Notarial Seal the day and year above written.

Jacquelyn W. Crosnell
Notary Public

JACQUELYN W. CROSWELL NOTARY PUBLIC SOMERSET COUNTY, MD.

CERTIFICATE OF SALE BOOK 048 PAGE 682

I, Julian C. Tyler, Collector of Taxes for the City of Crisfield, a municipal corporation of the State of Maryland and the Clerk-Treasurer of the City of Crisfield, hereby certify that on June 5, 1980, I sold to City of Crisfield, of the following address _____, at public auction for the sum of five hundred two Dollars and one Cents ($ 502.01) of which Five hundred two Dollars and one Cents ($ 502.01) represent the total amount due for collection, the receipt of which is hereby acknowledged, the property located in the City of Crisfield, Crisfield Election District, Somerset County, Maryland described as # 31 in the advertisement of sale (which is incorporated by reference) and assessed to L. Kirby Morgan and Edna Mae Morgan. The property described herein is subject to redemption. Upon redemption the holder of this certificate will be refunded the sums paid on account of the purchase price together with interest thereon at the rate of six per cent per annum from the date hereof to the date of redemption together with all other amounts specified by Chapter 761 of the Acts of 1943 and acts amendatory thereof. All taxes, liens and costs together with interest and penalties thereon, accruing subsequent to the date of sale, must be paid to the Collector before a deed can be delivered to the purchaser. After one year from date, a proceeding can be brought to foreclose all rights of redemption in the property. This Certificate will be void unless such a proceeding is brought within two years from the date of this certificate.

As witness my hand and seal this fifth day of June, 1980.

Julian C. Tyler (SEAL)
Julian C. Tyler
Collector

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 5th day of June in the year nineteen hundred and eighty, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Julian C. Tyler, and acknowledged the aforegoing Certificate of Sale to be his act and deed, and signed same in my presence.

As witness my hand and Notarial Seal the day and year above written.

Jacquelyn W. Crosnell
Notary Public

JACQUELYN W. CROSWELL NOTARY PUBLIC SOMERSET COUNTY, MD.

CERTIFICATE OF SALE

I, Julian C. Tyler, Collector of Taxes for the City of Crisfield, a municipal corporation of the State of Maryland and the Clerk-Treasurer of the City of Crisfield, hereby certify that on June 5, 1980, I sold to City of Crisfield, of the following address _____, at public auction for the sum of nine hundred forty-nine Dollars and twenty-nine Cents ($ 949.29) of which Nine hundred forty-nine Dollars and twenty-nine Cents ($ 949.29) represent the total amount due for collection, the receipt of which is hereby acknowledged, the property located in the City of Crisfield, Crisfield Election District, Somerset County, Maryland described as #34 in the advertisement of sale (which is incorporated by reference) and assessed to Alma Ward and Mattie Miles a/k/a Mattie Miles Horsey. The property described herein is subject to redemption. Upon redemption the holder of this certificate will be refunded the sums paid on account of the purchase price together with interest thereon at the rate of six per cent per annum from the date hereof to the date of redemption together with all other amounts specified by Chapter 761 of the Acts of 1943 and acts amendatory thereof. All taxes, liens and costs together with interest and penalties thereon, accruing subsequent to the date of sale, must be paid to the Collector before a deed can be delivered to the purchaser. After one year from date, a proceeding can be brought to foreclose all rights of redemption in the property. This Certificate will be void unless such a proceeding is brought within two years from the date of this certificate.

As witness my hand and seal this fifth day of June, 1980.

Julian C. Tyler (SEAL)
Julian C. Tyler
Collector

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 5th day of June in the year nineteen hundred and eighty, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Julian C. Tyler, and acknowledged the aforegoing Certificate of Sale to be his act and deed, and signed same in my presence.

As witness my hand and Notarial Seal the day and year above written.

Jacquelyn W. Crosmire
Notary Public

JACQUELYN W. CROSMIRE NOTARY SOMERSET COUNTY, MD.

CERTIFICATE OF SALE BOOK 048 PAGE 684

I, Julian C. Tyler, Collector of Taxes for the City of Crisfield, a municipal corporation of the State of Maryland and the Clerk-Treasurer of the City of Crisfield, hereby certify that on June 5, 1980, I sold to City of Crisfield, of the following address _____, at public auction for the sum of eight hundred thirty-four Dollars and forty-three Cents ($ 834.43) of which Eight hundred thirty-four Dollars and forty-three Cents ($ 834.43) represent the total amount due for collection, the receipt of which is hereby acknowledged, the property located in the City of Crisfield, Crisfield Election District, Somerset County, Maryland described as # 39 in the advertisement of sale (which is incorporated by reference) and assessed to Dominick Lanno _____. The property described herein is subject to redemption. Upon redemption the holder of this certificate will be refunded the sums paid on account of the purchase price together with interest thereon at the rate of six per cent per annum from the date hereof to the date of redemption together with all other amounts specified by Chapter 761 of the Acts of 1943 and acts amendatory thereof. All taxes, liens and costs together with interest and penalties thereon, accruing subsequent to the date of sale, must be paid to the Collector before a deed can be delivered to the purchaser. After one year from date, a proceeding can be brought to foreclose all rights of redemption in the property. This Certificate will be void unless such a proceeding is brought within two years from the date of this certificate.

As witness my hand and seal this fifth day of June, 1980.

Julian C. Tyler (SEAL)
Julian C. Tyler
Collector

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 5th day of June in the year nineteen hundred and eighty, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Julian C. Tyler, and acknowledged the aforegoing Certificate of Sale to be his act and deed, and signed same in my presence.

As witness my hand and Notarial Seal the day and year above written.

Jacquelyn W. Crosnell
Notary Public

JACQUELYN W. CROSNELL NOTARY PUBLIC SOMERSET COUNTY, MD.

TONY BRUCE
JONES & JONES
Attorneys at Law
Princess Anne, Md. 21853

City of Crisfield, a municipal corporation, Crisfield, Maryland 21817	:	No. 11,175 Chancery
	:	In the Circuit Court for
vs	:	Somerset County, Maryland

John West Ennals and Pearlie Mae Ennals and all persons having, or claiming to have, any interest in certain property in Crisfield District described as follows: "All that lot or parcel of land on the north side of Tyler Street shown on a plat by G. Oliver Morrell, Surveyor, dated June 1, 1965 (File D-916) recorded 228, folio 236 conveyed unto John West Ennals and Pearlie Mae Ennals by Virginia Tawes Sterling, et vir, by deed dated June 30, 1965 recorded among the Land Records of Somerset County in Liber I.T.P. No. 228, folio 234 shown on tax map 3 in block 29 as parcel 13," and whose last known address is 617 Wells Street, Cambridge, Maryland 21613

and

L. Kirby Morgan and Edna Mae Morgan, and all persons having, or claiming to have, any interest in certain property in Crisfield Election District described as follows: "all that lot parcel of land 33' x 150' on the east side of Third Street conveyed unto L. Kirby Morgan and Edna Mae Morgan by William E. Gibson by deed dated December 23, 1944 recordedamong the Land Records of Somerset County in Liber B.L.B. No. 128, folio 354 shown on tax map 3 in block 34 as parcels 13 and 14," and whose last known address is 105 Third Street, Crisfield, Maryland 21817.

and

Alma Ward and Mattie Miles a/k/a Mattie Miles Horsey, and all persons having, or claiming to have, any interest in certain property in Crisfield Election District, described as follows: "all that lot or parcel of land 15.5' x 35.5' on the east side of Fourth Street being parcel 2 on a plat by W. Ballard Miles dated June 11, 1951 (File D-139) in plat book 154, folio 474 devised unto Alma Ward and Mattie Miles (a/k/a Mattie Miles Horsey) by Samuel F. Hudgen by Will recorded in F.E.D. No. 35, folio 211 shown on tax map 3 in block 29 as parcel 24," and whose last known address is 2512 W. Dakota Street, Philadelphia, Pennsylvania.

and

Dominick Lanno, and all persons having, or claiming to have, any interest in certain property in Crisfield Election District described as follows: "all that lot fronting 46 feet on the North side of Cove Street conveyed unto Dominick Lanno by Ibbie M. Britton by deed dated July 12, 1939 and recorded in the Land Records of Somerset County in Liber B.L.B. No. 116, folio 101 shown on tax map 3 in block 34 as parcel 21," and whose last known address is 204 Cove Street, Crisfield, Maryland 21817

and

Virginia Tawes Sterling, whose last known address is 12 S. Somerset Avenue, Crisfield, Maryland 21817 and whose interest in this proceeding is hereinafter set forth.

and

Peninsula Bank, whose last known address is S. Somerset Avenue, Princess Anne, Maryland 21853 and whose interest in this proceeding is hereinafter set forth.

and

John Sibrea and Millard Bloom, Trustees for Finance America, whose last known address is 5006 Sinclair Lane, Baltimore, Maryland and whose interest in this proceeding is hereinafter set forth.

ORDER OF PUBLICATION

The object of this proceeding is to secure the foreclosure of all rights of redemption in the following property in Somerset County, Maryland, sold by Carlos Bozman, Collector of Taxes for Somerset County and the State of Maryland, to the complainant in this proceeding:

(a) "All that lot or parcel of land on the north side of Tyler street shown on a plat by G. Oliver Momell, Surveyor, dated June 1, 1965 (File D-916) recorded 228, folio 236 conveyed unto John West Ennals and Pearlie Mae Ennals by Virginia Tawes Sterling, et vir, by deed dated June 30, 1965 recorded among the Land Records of Somerset County in Liber I.T.P. No. 228, folio 234 shown on tax map 3 in block 29 as parcel 13."

(b) "All that lot or parcel of land 33' x 150' on the east side of Third Street conveyed unto L. Kirby Morgan and Edna Mae Morgan by William E. Gibson by deed dated December 23, 1944 recorded among the Land Records of Somerset County in Liber B.L.B. No. 128, folio 354 shown on tax map 3 in block 34 as parcels 13 and 14."

(c) "All that lot or parcel of land 15.5' x 35.5' on the east side of Fourth Street being parcel 2 on a plat by W. Ballard Miles dated June 11, 1951 (File D-139) in plat book 154, folio474 devised unto Alma Ward and Mattie Miles (a/k/a Mattie Miles Horsey) by Samuel F. Hudgen by Will recorded in F.E.D. No. 35, folio 211 shown on tax map 3 in block 29 as parcel 24."

(d) "All that lot fronting 46 feet on the North side of Cove Street conveyed unto Dominick Lanno by Ibbie M. Britton by deed dated July 12, 1939 and recorded in the Land Records ofSomerset County in Liber B.L.B. No. 116, folio 101 shown on tax map 3 in block 34 as parcel 21."

The bill states, among other things, that the amounts necessary for redemption have not been paid although more than a year and a day from the date of said sale, being June 5, 1980, has expired; it is thereupon this 14th day of October, 1981, by the Circuit Court for Somerset County, Maryland, ORDERED that notice be given by the insertion of a copy of this Order in some newspaper having a general circulation in said Somerset County, once a week for three successive weeks before the 9th day of November 1981, warning all persons interested in said property to be and appear in this

Court by the 14th day of December, 1981, and redeem the property and answer the bill, or thereafter a final decree will be rendered foreclosing all rights of redemption in said property and vesting in the complainant a title free and clear of all encumbrances.

Judge

BOOK 048 PAGE 688

(Md. Rule 107 - Service of process outside the State)

No. 11,175 Chancery Case

STATE OF MARYLAND, Somerset County, To-Wit:

THE STATE OF MARYLAND to Alma Ward and
Mattie Miles a/k/a Mattie Miles Horsey
2512 W. Dakota Street
Philadelphia, Pennsylvania

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of November next and ending sixty days from the date of the completion of service if made in the limits of the United States and ninety days if beyond cause your answer or other defense to be filed to the complaint of City of Crisfield,
a municipal corporation
Crisfield, Maryland 21817

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable/~~Ex Mo Master Dux~~ Richard M. Pollitt, Chief Judge of the First Judicial Circuit of Maryland.

Issued the 14th day of October, 1981

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office within sixty days from the date of the completion of service if made in the limits of the United States and ninety days if beyond. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded. FAILURE TO DO SO, a final decree will be rendered foreclosing all rights of redemption in the property.

Solicitor for Complainant(s)

Name Jones & Jones
Tony Bruce

Address Princess Anne, Maryland

L. Theodore Phoebus
Clerk

WRIT OF SUBPOENA: No. 11,175 Chancery Case

The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland,
Somerset County, to wit:

TO L. Kirby Morgan and
Edna Mae Morgan
105 Third Street
Crisfield, Maryland 21817

Dominick Lanno
204 Cove Street
Crisfield, Maryland
21817

Virginia Tawes Sterling
12 S. Somerset Avenue,
Crisfield, Maryland 21817

Peninsula Bank
S. Somerset Avenue
Princess Anne, Maryland 21853

GREETING:

We command and enjoin you that you do within the time limited by law, ~~beginning on the first Monday of next and ending fifteen days thereafter~~ on or before the 14th day of December, 1981 cause your answer or other defense to be filed to the complaint of City of Crisfield,
a municipal corporation
Crisfield, Maryland 21817

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable ~~Daniel T. Bratman~~ Richard M. Pollitt Chief Judge of the First Judicial Circuit of Maryland.

Issued the 14th day of October, 19 81

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the 14th day of December, 19 81. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded. FAILURE TO DO SO, a final decree will be rendered foreclosing all rights of redemption in the property.

Solicitor for Complainant(s)

Jones & Jones
Name Tony Bruce

Address Princess Anne, Maryland

L. Theodore Phoebus
Clerk

BOOK 048 PAGE 689

P 33 Walking

No. 11,175 Chancery Case

WRIT OF SUBPOENA:

BOOK 048 PAGE 690

The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland,

Somerset County, to wit:

TO John Sibrea and
Millard Bloom
Trustees for Finance America
~~5006 Sinclair Lane~~ Suite 309 Investment Bldg
Baltimore, Maryland

SVD 10-28-81

GREETING:

We command and enjoin you that you do within the time limited by law, ~~beginning on the first Monday xxxx

RECORDED
LIBER 4
FOLIO
BY
DEPUTY
Oct 30 9 33 AM '81

Copy
Subs. Bill of Complaint served on & left with
John Silver & Millard Odom Trustee for Finance America
This 22 day of Oct 1981

Charles H Wiley Jr
Sheriff Bulloch

Costs 10-00

RETURN COPY FOR JOHN WEST ENNALS

BOOK 048 PAGE 692

No. 11,175 Chancery Case

WRIT OF SUBPOENA:

The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland,
Somerset County, to wit:

TO John West Ennals and
Pearlie Mae Ennals
617 Wells Street
Cambridge, Maryland 21613

GREETING:

We command and enjoin you that you do within the time limited by law, ~~beginning on the~~ on or before the 14th day of December, 1981, ~~xxxx

☐ SERVED ON AND LEFT WITH _____, THIS _____

DAY OF _____, 19 _____.

☑ NON-EST. THIS 16 DAY OF NOVEMBER, 19 81.

REASON: UNABLE TO LOCATE.

ATTEMPTS OF SERVICES: 10-20-81, 11-3-81

Philip A. McKelvey

SHERIFF, DORCHESTER COUNTY, MARYLAND

PER: James H. Tuppin

DEPUTY SHERIFF

FILED

Nov 18 8 38 AM '81

RECORDED IN LIBER ____ FOLIO ____ CIR. CT. LIT. RECORDS BY ____ DEPUTY

BOOK 048 PAGE 693

RETURN - COPY FOR PEARLIE MAE ENNALS

BOOK 048 PAGE 694

WRIT OF SUBPOENA: 11,175 Chancery Case

The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland,

Somerset County, to wit:

TO John West Ennals and
Pearlie Mae Ennals
617 Wells Street
Cambridge, Maryland 21613

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the 14th day of December, 1981, ~~[illegible]~~ cause your answer or other defense to be filed to the complaint of City of Crisfield,
a municipal corporation,
Crisfield, Maryland 21817

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable Richard H. Pollitt ~~[illegible]~~ Chief Judge of the First Judicial Circuit of Maryland.

Issued the 14th day of October, 1981

TO THE DEFENDANT(S):

You are required to file your [illegible] other defense in the Clerk's Office on or before the 14th day of December, 1981 [illegible] appearance in Court on the day named is not necessary, but unless you file [illegible] other defense within the time named, the Complainant(s) may obtain a decree [illegible] against you which upon proper proof may be converted to a final decree [illegible] FAILURE TO DO SO, a final decree will be rendered forecloses [illegible] on the property.

Solicitor for Complainant(s)

Jones & Jones
Name Tony Bruce
Princess Anne, Maryland
Address

Clerk

☐ SERVED ON AND LEFT WITH _____, THIS _____
DAY OF _____, 19 _____.

☒ NON-EST, THIS 16 DAY OF NOVEMBER, 19 81.

REASON: UNABLE TO LOCATE

ATTEMPTS OF SERVICE: 10-26-81, 11-3-81

Philip H. McRiley
SHERIFF, DORCHESTER COUNTY, MARYLAND

PER: FILED James H. Turner
DEPUTY SHERIFF

Nov 18 8 39 AM '81

RECORDED IN
LIBER _____ FOLIO _____
L.THEODORE ... CLK.CIR.CT.
BY _____ DEPUTY

BOOK 048 PAGE 695

Court Returned

BOOK 048 PAGE 696

WRIT OF SUBPOENA: No. 11,175 Chancery Case

The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland,

Somerset County, to wit:

TO John West Ennals and
Pearlie Mae Ennals
617 Wells Street
Cambridge, Maryland 21613

GREETING:

We command and enjoin you that you do within the time limited by law, on or before the 14th day of December, 1981, ~~beginning on the first Monday of next and ending fifteen days thereafter~~ cause your answer or other defense to be filed to the complaint of City of Crisfield
a municipal corporation
Crisfield, Maryland 21817

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable Richard M. Pollitt ~~Daniel T. Prettyman~~ Chief Judge of the First Judicial Circuit of Maryland.

Issued the 18th day of November, 19 81

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the 14th day of December, 19 81. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded. FAILURE TO DO SO, a final decree will be rendered foreclosing all rights of redemption in the property.

Solicitor for Complainant(s)

Jones & Jones
Name Tony Bruce

Princess Anne, Maryland
Address

L. Theodore Phoebus
Clerk

☐ SERVED ON AND LEFT WITH _____, THIS _____
DAY OF _____, 19 _____.

☒ NON-EST, THIS 23 DAY OF November, 19 81
REASON: Not living given address - Checked P.O. negative
ATTEMPTS OF SERVICES: See suits.

Philip H. McKelvey
SHERIFF, DORCHESTER COUNTY, MARYLAND
PER: J. H. Laws Jr., Sr.
DEPUTY SHERIFF

FILED

Nov 25 8 55 AM '81

RECORDED IN
LIBER _____ FOLIO _____
AMES, CLK. CT.
BY _____ DEPUTY

BOOK 048 PAGE 697

City of Crisfield	:	No. 11,175 Chancery
vs	:	In the Circuit Court for
John West Ennals and Pearlie Mae Ennals, et al	:	Somerset County, Maryland

PETITION

To the Honorable, the Judge of said Court:

Now comes Tony Bruce, Solicitor on behalf of the Complainant, and asks that the bill to foreclose the right of redemption be dismissed against Alma Ward and Mattie Miles a/k/a Mattie Miles Horsey, inasmuch as Alma Ward has paid the amounts due and outstanding in the right of exercise of their right of redemption.

Tony Bruce

Tony Bruce

ORDER

The aforegoing petition having been read and considered, it is hereby ORDERED this 2nd day of December, 1981, by the Circuit Court for Somerset County, Maryland, that the bill to foreclose the right of redemption be dismissed against Alma Ward and Mattie Miles, a/k/a Mattie Miles Horsey.

Lloyd L. Snyder

Judge

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

January 12, 82

CRISFIELD, MD. _____ 19____

THIS is to certify that the annexed Order publication

has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in

said Order Publication for 3

weeks beginning with the issue of October 22, 19 81

and ending November 5, 19 81.

William A. Martin Jr.

Publisher, THE CRISFIELD TIMES

Chancery Case 11,175

BOOK 048 PAGE 700

Tony Bruce
Jones and Jones
Attorneys At Law
Princess Anne, Md. 21853

City of Crisfield
A Municipal Corporation
Crisfield, Maryland 21817

No. 11,175 Chancery
In the Circuit Court For
Somerset County,
Maryland

cvs

John West Ennals and Pearlie Mae Ennals and all persons having, or claiming to have, any interest in certain property in Crisfield District described as follows: "All that lot or parcel of land on the north side of Tyler Street shown on a plat by G. Oliver Morrell, Surveyor, dated June 1, 1965 (File D-916) recorded 228, folio 236 conveyed unto John West Ennals and Pearlie Mae Ennals by Virginia Tawes Sterling, et vir, by deed dated June 30, 1965 recorded among the Land Records of Somerset County in Liber I.T.P. No. 228, folio 234 shown on tax map 3 in block 29 as parcel 13," and whose last known address is 617 Wells Street, Cambridge, Maryland 21613.

and

L. Kirby Morgan and Edna Mae Morgan, and all persons having, or claiming to have, any interest in certain property in Crisfield Election District described as follows: "all that lot parcel of land 33' x 150' on the east side of Third Street conveyed unto L. Kirby Morgan and Edna Mae Morgan by William E. Gibson by deed dated December 23, 1944 recorded among the Land Records of Somerset County in Liber B.L.B. No. 128, folio 354 shown on tax map 3 in block 34 as parcels 13 and 14," and whose last known address is 105 Third Street, Crisfield, Maryland 21817.

and

Alma Ward and Mattie Miles a/k/a Mattie Miles Horsey, and all persons having, or claiming to have, any interest in certain property in Crisfield Election District, described as follows: "all that lot or parcel of land 15,5' x 35.5' on the east side of Fourth Street being parcel 2 on a plat by W. Ballard Miles dated June 11, 1951 (File D-139) in plat book 154, folio 474 devised unto Alma Ward and Mattie Miles (a/k/a Mattie Miles Horsey) by Samuel F. Hudgen by Will recorded in F.E.D. No. 35, folio 211 shown on tax map 3 in block 29 as parcel 24," and whose last known address is 2512 W. Dakota Street, Philadelphia, Pennsylvania.

and

Dominick Lanno, and all persons having, or claiming to have, any interest in certain property in Crisfield Election District described as follows: "all that lot fronting 46 feet on the North side of Cove Street conveyed unto Dominick Lanno by Ibbie M. Britton by deed dated July 12, 1939 and recorded in the Land Records of Somerset County in Liber B.L.B. No. 116, folio 101 shown on tax map 3 in block 34 as parcel 21," and whose last known address is 204 Cove Street, Crisfield, Maryland 21817

and

Virginia Tawes Sterling, whose last known known address is 12 S. Somerset Avenue, Crisfield, Maryland 21817 and whose interest in this proceeding is hereinafter set forth.

and

Peninsula Bank, whose last known address is S. Somerset Avenue, Princess Anne, Maryland 21853 and whose interest in this proceeding in hereinafter set forth.

and

John Sibrea and Millard Bloom, Trustees for Finance America, whose last known address is 5006 Sinclair Lane, Baltimore, Maryland and whose interest in this proceeding is hereinafter set forth.

ORDER OF PUBLICATION

The object of this proceeding is to secure the foreclosure of all rights of redemption in the following property in Somerset County, Maryland, sold by Carlos Bozman, Collector of Taxes for Somerset County and the State of Maryland, to the complainant in this proceeding:

(a) "All that lot or parcel of land on the north side of Tyler Street shown on a plat by G. Oliver Morrell, Surveyor, dated June 1, 1965 (File D-916) recorded 228, folio 236 conveyed unto John West Ennals and Pearlie Mae Ennals by Virginia Tawes Sterling, et vir, by deed dated June 30, 1965 recorded among the Land Records of Somerset County in Liber I.T.P. No. 228, folio 234 shown on tax map 3 in block 29 as parcel 13."

(b) "All that lot or parcel of land 33' x 150' on the east side of Third Street conveyed unto L. Kirby Morgan and Edna Mae Morgan by William E. Gibson by deed dated December 23, 1944 recorded among the Land Records of Somerset County in Liber B.L.B. No. 128, folio 354 shown on tax map 3 in block 34 as parcels 13 and 14."

(c) "All that lot or parcel of land 15,5' x 35.5, on the east side of Fourth Street being parcel 2 on a plat by W. Ballard Miles dated June 11, 1951 (File D-139) in plat book 154, folio 474 devised unto Alma Ward and Mattie Miles (a/k/a Mattie Miles Horsey) by Samuel F. Hudgen by Will recorded in F.E.D. No. 35, folio 211 shown on tax map 3 in block 29 as parcel 24."

(d) "All that lot fronting 46 feet on the North side of Cove Street conveyed unto Dominick Lanno by Ibbie M. Britton by deed dated July 12, 1939 and recorded in the Land Records of Somerset County in Liber B.L.B. No. 116, folio 101 shown on tax map 3 in block 34 as parcel 21."

The bill states, among other things, that the amounts necessary for redemption have not been paid although more than a year and a day from the date of said sale, being June 5, 1980, has expired; it is thereupon this 14th day of October, 1981, by the Circuit Court for Somerset County, Maryland, ORDERED that notice be given by the insertion of a copy of this Order in some newspaper having a general circulation in said Somerset County, once a week for three successive weeks before the 9th day of November, 1981, warning all persons interested in said property to be and appear in this Court by the 14th day of December 1981, and redeem the property and answer the bill, or thereafter a final decree will be rendered foreclosing all rights of redemption in said property and vesting in the complainant a title free and clear of all emcumbrances.

Edward O. Thomas
Judge

True Copy, Test:
I. Theodore Phoebus
Clerk

10-22-3t

P03 3704022

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO
Alma Ward
STREET AND NO
2512 W. Dakota Street
P.O., STATE AND ZIP CODE
Philadelphia, Pa. 19100

POSTAGE		$ ¢
CONSULT POSTMASTER FOR FEES	CERTIFIED FEE	¢
OPTIONAL SERVICES	SPECIAL DELIVERY	¢
	RESTRICTED DELIVERY	¢
RETURN RECEIPT SERVICE	SHOW TO WHOM AND DATE DELIVERED	¢
	SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY	¢
	SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	¢
	SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	¢
TOTAL POSTAGE AND FEES		$ 5-9
POSTMARK OR DATE		

PRINCESS ANNE, MD. OCT 15 1981 USPO

PS Form 3800, Apr. 1976

11,175

P03 3704021

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO Mattie Miles
a/k/a Mattie Miles Horsey
STREET AND NO
2513 W. Dakota St.
P.O., STATE AND ZIP CODE
Philadelphia, Pa. 19100

POSTAGE		$ ¢
CONSULT POSTMASTER FOR FEES	CERTIFIED FEE	¢
OPTIONAL SERVICES	SPECIAL DELIVERY	¢
	RESTRICTED DELIVERY	¢
RETURN RECEIPT SERVICE	SHOW TO WHOM AND DATE DELIVERED	¢
	SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY	¢
	SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	¢
	SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	¢
TOTAL POSTAGE AND FEES		$ 5 91
POSTMARK OR DATE		

PRINCESS ANNE, MD. OCT 15 1981 USPO

PS Form 3800, Apr. 1976

City of Crisfield	:	No. 11,175 Chancery
vs	:	In the Circuit Court for
John West Ennals and Pearlie Mae Ennals, et al	:	Somerset County, Maryland

AFFIDAVIT

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 16th day of November, 1981, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Tony Bruce and made oath in due form of law that he attempted service of process outside the State of Maryland in the above entitled proceeding as follows:

As to Mattie Miles, a/k/a Mattie Miles Horsey, he mailed a copy of all pleadings and exhibits to Mattie Miles, a/k/a Mattie Miles Horsey at 2512 W. Dakota Street, Philadelphia, Pennsylvania 19100 by certified mail No. 3704021 on October 15, 1981 and said mail was returned by the United States Post Office with a notation "No longer at this address".

As to Alma Ward, he mailed a copy of all pleadings and exhibits to Alma Ward at 2512 W. Dakota Street, Philadelphia, Pennsylvania 19100 by certified mail No. 3704022 and that said mail was returned by the United States Post Office marked "Unclaimed".

As to Mattie Miles and Alma Ward the envelopes containing the documents are attached hereto together with the receipts issued by the United States Post Office.

Attached hereto is the printer's certificate issued by The Crisfield Times indicating that the order of publication in the above entitled proceeding was published on October 22, October 29 and November 5, 1981, respectively.

As witness my hand and Notarial Seal.

Tony Bruce
Tony Bruce

Notary Public

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

11,175

JONES & JONES
YS AT LAW
NNE, MD. 21853

CLAIM CHECK NO.
812525

HOLD

DATE
10-17-81

1ST NOTICE

2ND NOTICE

RETURN

Detached from PS Form 3849—A Oct. 1980

RETURN RECEIPT REQUESTED

RESTRICTED DELIVERY

CERTIFIED
P03 3704321
MAIL

Mattie Miles
a/k/a Mattie Miles Horsey
2512 W. Dakota Street
Philadelphia, Pennsylvania 19100

RESTRICTED DELIVERY

No Longer At This Address

BOOK 048 PAGE 703

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 218

Detached from PS Form 3849—A Oct. 1980

2ND NOTICE

1ST NOTICE

HOLD

DATE 10-20

CLAIM CHECK NO.
812600

RETURN RECEIPT REQUESTED

RESTRICTED DELIVERY

RETURNED TO SENDER

CERTIFIE
P03 3704022
MAIL

RESTRICTED DELIVERY

Alma Ward
2512 W. Dakota Street
Philadelphia, Pennsylvania 19100

City of Crisfield	:	No. 11,175 Chancery
vs	:	In the Circuit Court for
John West Ennals and Pearlie Mae Ennals, et al	:	Somerset County, Maryland

PETITION FOR DECREE PRO CONFESSO AND FOR
LEAVE TO TAKE TESTIMONY AND ORDER OF COURT THEREON

The petition of the City of Crisfield, Complainant in the above entitled action, by Jones & Jones, its attorneys, respectfully shows:

1. That as appears from the proceedings herein, all defendants subject to process have been duly subpoenaed and an order of publication has been duly published against all other persons having or claiming to have any interest in the real estate subject of this proceeding and the time in which the answer of any person having any interest in the properties mentioned and described in these proceedings, and the redemption thereof from the tax sale herein mentioned, has expired, and no appearance has been entered for such persons or any answer filed by, or on behalf of any such persons, except Alma Ward, one of the defendants herein, who has redeemed her property in accordance with law.

2. That your petition desires to take testimony to support certain of the allegations in its bill of complaint which may not be taken as a matter of course by this Honorable Court.

WHEREFORE, Petitioner prays:

a. That the said bill of complaint may be taken against all defendants named in this proceeding and all persons having or claiming to have, any interest in and to said property mentioned and described in these proceedings;

b. That your petition may be granted leave to take testimony before one of the Standing Examiners of this Court to substantiate the allegations of its bill of complaint.

And as in duty bound, etc.

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

JONES & JONES

By Tony Bruce
Attorneys for Petitioner

ORDER OF COURT

The aforegoing petition having been read and considered, it is thereupon this 21st day of Jan., 1982, by the Circuit Court for Somerset County, Maryland, sitting in Equity, ORDERED that the bill of complaint in this cause be and the same is hereby taken pro-confesso against the named defendants and all other possible defendants, being all persons having or claiming to have any interest in and to the certain real estate mentioned and described in these proceedings, or in the right to redemption thereof, and the complainant be, and he is hereby granted leave to take testimony before one of the Standing Examiners of this Court, to substantiate the allegations of its said bill of complaint nunc pro tunc.

Lloyd L. Griffin
Judge

City of Crisfield	:	No. 11,175 Chancery
vs	:	In the Circuit Court for
John West Ennals and Pearlie Mae Ennals, et al	:	Somerset County, Maryland

TESTIMONY

In the above cause, testimony having to be taken to support the allegations of the bill, I, Logan C. Widdowson, of Princess Anne, Maryland, Standing Examiner of the Circuit Court for Somerset County, Maryland, in Equity, duly appointed, sworn, etc. do hereby certify that on this 14th day of January, 1982, in Somerset County aforesaid, I did take the following testimony, to wit:

EXAMINATION OF JULIAN C. TYLER, ESQ:

Julian C. Tyler, a witness of lawful age produced on behalf of the Complainant, being duly sworn, deposes and says:

Q. Please state your name, residence and occupation.

A. I am Julian C. Tyler, I reside in Somerset County, Maryland, and I am the duly appointed Collector and Clerk for the City of Crisfield, and as such collect taxes for said City of Crisfield.

Q. Mr. Tyler, I hand you certain documents previously filed in this proceeding and ask if you can identify them.

A. Yes. These documents are certificates of sale issued by me to the City of Crisfield as the purchaser at a certain tax sale held by me in my official capacity on June 5, 1980.

Q. Will you please identify the certificates more specifically?

A. Yes. I am now testifying in reference to four certificates of sale, all dated June 5, 1980, signed by me as Collector and all notarized on June 5, 1980 by Jacquelyn W. Croswell, Notary Public. The first certificate relates to the property assessed to John West Ennals and Pearlie Mae Ennals, referred to in the bill of complaint in paragraph 1.(a) and in paragraph 4.(a). The certificate cites a sale to the City of Crisfield on June 5, 1980 in the sum of $1397.34 paid on the date of sale. The second certificat relates to the property assessed to L. Kirby Morgan and Edna Mae Morgan, referred to in the bill of complaint in paragraph 1.(b) and in paragraph 4.(b). The certificate cites a sale to the City of Crisfield on June 5, 1980 in the sum of $502.01 which was paid on the date of sale. The third certificate relates to the property assessed to Alma Ward and Mattie Miles a/k/a Mattie Miles Horsey, referred to in the bill of complaint in paragraph 1.(c) and in paragraph 4.(c). The certificate cites a sale to the City of Crisfield on June 5, 1980 in the sum of $949.29. The certificate cites a sale to the City of Crisfield on June 5, 1980 in the sum of $949.29 which was paid on June 5, 1980. The fourth certificate relates to the property assessed to Dominick Lanno referred to in the bill of complaint in paragraph 1.(d) and in paragraph 4.(d). The certificate cites a sale to the City of Crisfield on June 5, 1980 for the sum of $834.43 which was paid on the date of sale.

Q. Prior to the offering of these properties for sale at public auction for delinquent taxes, did you or your deputies receive due notice of assessment of these properties and tax bills for them for the years for which they were sold, and did you or your deputies comply with all the prerequisites of law pertaining to the said tax sale?

A. Yes. The properties were so assessed and I did receive such bills and my deputies and I complied with all the prerequisites of law in advertising and hold the tax sale.

Q. With reference to the four properties which you have set forth in your testimony, have you received any notice of redemption of these properties, or any notice of intent to redeem these properties, or any offers for payment on account of such redemption from any person or persons?

A. Yes. The property described in the third certificate of sale has been redeemed by Alma Ward who paid the costs necessary to redeem the property.

Q. Since the date of the tax sale and the filing of the bill of complaint, does the City of Crisfield owe anything further to your office on account of these properties?

A. No.

Q. Do you in your official capacity know of any reason why the sales of the three properties to the City of Crisfield should not be ratified by this Court or do you have any objection to such ratification?

A. I know of no reason why the sales should not be ratified and I have no objection to their ratification.

Q. COURT'S QUESTION:

A. Nothing further.

Julian C. Tyler

EXAMINATION OF TONY BRUCE, ESQ.:

Tony Bruce, a witness producted on behalf of the Complainant, being duly sworn, deposes and says:

Q. Please stateyour name, residence and occupation.

A. 1 am Tony Bruce and I reside at R.F.D. 1, Princess Anne, Maryland. I am an attorney at law with an office for the practice of my profession in Princess Anne, Maryland.

Q. Will you please state your connection with this proceeding?

A. I am the Solicitor for the City of Crisfield and was requested to make an examination of the public records of Somerset County pertaining to the ownership of the properties mentioned in the bill of complaint and to take such steps as are quired by law to give notice of this proceeding to the attention of the former owners of record and to any other persons who might be interested in said property or the redemption of them.

Q. What legal acition did you take?

A. I personally examined the appropriate Somerset County records and prepared and filed the bill of complaint in this proceeding together with an affidavit referring to my title examination. I now reaffirm the contents of that affidavit as a part of my testimony in this proceeding. I also caused to be published the order of publication herein as more fully appears by the printer's certificate heretofore filed in this proceeding and caused subpoenas to be issued and served upon the property owners subject to process.

Q. Since the filing of this suit, the issuance of subpoenas and the publication of the order of publication have there been any changes in the status of the properties mentioned the bill of complaint?

A. I can confirm the testimony of Mr. Julian C. Tyler, Clerk of the City of Crisfield, filed in this proceeding. There has been no change in the properties described in paragraph 1.(a), (b) and (d) and being the same described in paragraph 4.(a), (b) and (d) in the bill of complaint. However, as testified by Mr. Tyler, the property described in paragraph 1. (c) and paragraph 4.(c) has been redeemed.

Q. Has any offer been made to you to redeem the property described in the bill of complaint?

A. None, except the property assessed to Alma Ward and Mattie Miles a/k/a Mattie Miles Horsey.

Q. Do you know of any reason why the sale of the properties should not be ratified by this Court?

A. No.

Q. COURT'S QUESTION:

A. Nothing further.

Tony Bruce

Tony Bruce

There being no further witnesses to be examined and at the suggestion of the Attorney for the Complainant, the papers are herewith returned by the Court, and I further certify this annexed bill of costs is correct and paid by the Complainant. This examination was conducted in compliance with the Maryland Rules of Procedure. In the judgment of the examiner, no further examination or cross-examination was proper or necessary for a full presentation of the true facts in the case. There were no irregularities or unusual circumstances in the taking of the testimony or in the conduct of the proceedings.

Bill of Costs

Examiner	$25.00

Witness my hand and seal.

Logan C. Widdowson
Standing Examiner

City of Crisfield	:	No. 11,175 Chancery
vs	:	In the Circuit Court for
John West Ennals and Pearlie Mae Ennals, et al	:	Somerset County, Maryland

DECREE

The above entitled proceeding having been presented to this Court, and it appearing that the defendants named therein have been duly notified thereof by service of process or by publication as appropriate, and all pleadings, exhibits, affidavits, testimony and other matters having been duly read and considered by this Court, it is hereby

DECREED, this 24th day of Feb., 1982, by the Circuit Court for Somerset County, Maryland, in Equity, that as to the properties hereinafter named and described in this decree there is hereby vested in the complainant, City of Crisfield, an absolute and indefeasible title in fee simple in said property, free and clear of all alienations and descents of said property occurring prior to the time and date of this decree and free and clear of any encumbrances thereon, except taxes accruing subsequent to the date of sale of saidproperty (if any of said taxes remain outstanding, due and unpaid), and except easements to which said property is subject and of which the complainant had actual or constructive knowledge at the time of said sale, and it is further

DECREED, that Julian C. Tyler, Clerk-Treasurer and Collector of taxes for the City of Crisfield, shall execute a deed to the City of Crisfield conveying the hereinafter described property upon payment to said Collector of the balance of the purchase price due on account of the purchase price of the property, together with all taxes and interest and penalties thereon accruing subsequent to the date of sale (if any of said purchase price, taxes, interest and penalties remaining outstanding, due and unpaid); the said deed to be prepared by the complainant's attorney, and all expenses incident to the preparation and execution of the said deed shall be paid by the said City of Crisfield, and it is further

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

DECREED, that the Clerk of the Circuit Court for Somerset County shall issue a certified copy of this decree to the aforesaid Julian C. Tyler, Clerk-Treasurer and Collector of Taxes, who shall not be obligated to execute the deed hereinbefore provided for until such certified copy of said decree is served upon him and it is further

DECREED, that the Complainant, City of Crisfield, shall forthwith and before delivery of said certified copy of this decree to said Clerk-Treasurer and Collector of Taxes by said Clerk, shall pay all Court costs accrued to date in this proceeding and it is further

DECREED, that the properties subject of this decree are identified and described as follows: All those tracts or parcels of land situate in the City of Crisfield, Crisfield Election District, Somerset County, Maryland, and more particularly described as follows:

(a) All that lot or parcel of land on the north side of Tyler Street shown on a plat by G. Oliver Morrell, Surveyors, dated June 1, 1965 (File D-916) recorded 228, folio 236 conveyed unto John West Ennals and Pearlie Mae Ennals by Virginia Tawes Sterling, et vir, by deed dated June 30, 1965 recorded among the Land Records of Somerset County in Liber I.T.P. No. 228, folio 234 shown on tax map 3 in block 29 as parcel 13.

(b) All that lot or parcel of land 33' x 150' on the east side of Third Street conveyed unto L. Kirby Morgan and Edna Mae Morgan by William E. Gibson by deed dated December 23, 1944 and recorded among the Land Records of Somerset County in Liber B.L.B. No. 128, folio 354 shown on tax map 3 in block 34 as parcels 13 and 14.

(c) All that lot fronting 46 feet on the north side of Cove Street conveyed unto Dominick Lanno by Ibbie M. Britton by deed dated July 12, 1939 and recorded in the Land Records of Somerset County in Liber B.L.B. No. 116, folio 101 shown on tax map 3 in block 34 as parcel 21.

Edward L. Simpkins
Judge

APR 19 1984
End.

JUL 30-82 B 925735D*****25.00
JUL 30-82 B 925734D*****60.00

In Equity No. 11 342

In the Circuit Court for

Somerset County, Maryland

William Charnick
Crisfield, Maryland 21817

Plaintiff

vs

Edward Lee Charnick, Jr.
Bridgeville, Delaware 19333

Mary Ellen Scott
Kingston, Md. 21834

Ina R. Orcutt
1623 S. Rodgers
Bartlesville, Oklahoma 74003

Janie Charnick
8 Walnut Street
Crisfield, Md. 21817

Carole C. Smith
1425 Ramsey Rd.
Norfolk, Virginia 23501

Eloise Charnick
264 Hinman Rd.
Crisfield, Md. 21817

Defendants

BILL OF COMPLAINT

William Charnick, Plaintiff, by his attorney, Lionel Bennett, alleges:

1. That on May 19, 1981, Julian C. Tyler, Collector of Taxes for the City of Crisfield, Maryland issued a Certificate of Sale to the Plaintiff for the sum of $550.00 for property in the City of Crisfield, Somerset County, Maryland, described as follows:

All that lot or parcel of land on the North side of Walnut Street assessed as 60'x 100' devised unto Edward Lee Charnick, Alonza Charnick, Ralph H. Charnick, Ina R. Orcutt and Ina R. Orcutt in trust for Harold Charnick by Mary E. Charnick by Will dated August 30, 1945 and recorded in Liber E.L.F. No. 36 at folio 434 shown on Tax Map 2 in Block 21 as Parcel 9. Assessment: $2160.00. Amount due: $415.92.

Assessed to Edward Lee Charnick, et al., for the years 1976 through 1982. That said Certificate of Sale is attached hereto and marked "Exhibit A".

2. That the property has not been redeemed by any party in interest although more than one year from the date of sale has expired.

3. That the amount necessary to redeem the aforesaid property is $550.00 with interest from May 19, 1981 and taxes and disbursements made by the Plaintiff, the full purchase price of said property, being the sum of $550.00 now having been paid.

4. That the Post Office addresses of the defendants are as shown in the title hereof.

Wherefore Plaintiff prays:

1. That a summons be issued for said Defendants.
2. That your Honors may grant unto the Plaintiff the Order of Publication to the Defendants and all persons having or claiming to have any interest in the aforesaid property.
3. That this Honorable Court may pass a final decree foreclosing all rights of redemption of the Defendants and any and all of them in and to any and all of the real estate of which they were assessed.
4. That Plaintiff may have such other and further relief as his case may require.

William Charnick
William Charnick

Lionel Bennett
Lionel Bennett
Attorney for Plaintiff
945 West Main Street
Crisfield, Maryland 21817
Phone: (301) 968-1166

STATE OF MARYLAND, Somerset County, toWWit:

I hereby certify that on this 26th day of July, 1982, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared William Charnick and he made oath in due form of law that the matters and facts set forth in the aforegoing bill of complaint are true to the best of his knowledge and belief.

As witness my hand and Notarial Seal.

KATHRYN L. WEBB
NOTARY PUBLIC
CRISFIELD, MARYLAND

Kathryn L. Webb
Notary Public

EXHIBIT A

CERTIFICATE OF SALE

I, Julian C. Tyler, Collector of Taxes for the City of Crisfield, a municipal corporation of the State of Maryland and the Clerk-Treasurer of the City of Crisfield, hereby certify that on May 19, 1981, I sold to William Charnick, of the following address Crisfield, Maryland, at public auction for the sum of Five hundred fifty dollars and no cents ($ 550.00) of which Five hundred forty-six dollars and sixty-five cents ($546.65) represent the total amount due for collection, the receipt of which is hereby acknowledged, the property located in the City of Crisfield, Crisfield Election District, Somerset County, Maryland described as # 6 in the advertisement of sale (which is incorporated by reference) and assessed to Edward Lee Charnick, et al. The property described herein is subject to redemption. Upon redemption the holder of this certificate will be refunded the sums paid on account of the purchase price together with interest thereon at the rate of six per cent per annum from the date hereof to the date of redemption together with all other amounts specified by Chapter 761 of the Acts of 1943 and acts amendatory thereof. All taxes, liens and costs together with interest and penalties thereon, accruing subsequent to the date of sale, must be paid to the Collector before a deed can be delivered to the purchaser. After one year from date, a proceeding can be brought to foreclose all rights of redemption in the property. This Certificate will be void unless such a proceeding is brought within two years from the date of this certificate.

As witness my hand and seal this nineteenth day of May, 1981.

Julian C. Tyler (SEAL)
Julian C. Tyler
Collector

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 19th day of May, in the year nineteen hundred and eighty-one, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Julian C. Tyler, and acknowledged the aforegoing Certificate of Sale to be his act and deed, and signed same in my presence.

As witness my hand and Notarial Seal the day and year above written.

Patty E. Aker
Notary Public

BOOK 048 PAGE 714

No. 11,342 Chancery Case

WRIT OF SUBPOENA:

The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland,

Somerset County, to wit:

TO 8-5-82 MARY ELLEN SCOTT, Kingston, Maryland 21834

7-30-82 JANIE CHARNICK, 8 Walnut Street, Crisfield, Maryland 21817

7-30-82 ELOISE CHARNICK, 264 Hinman Rd., Crisfield, Md. 21817

GREETING:

We command and enjoin you that you do within the time limited by law, ~~beginning on the first Monday of next and ending fifteen days thereafter~~ ON OR BEFORE THE 27th DAY OF SEPTEMBER, 1982 cause your answer or other defense to be filed to the complaint of WILLIAM CHARNICK, Crisfield, Maryland 21817

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable ~~Daniel T. Parker~~ RICHARD M. POLLITT Chief Judge of the First Judicial Circuit of Maryland.

Issued the 29th day of July, 19 82.

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the 27th day of September, 19 82. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded. FAILURE TO DO SO, A FINAL DECREE WILL BE RENDERED FORECLOSING ALL RIGHTS OF REDEMPTION IN THE PROPERTY.

Solicitor for Complainant(s)

Name: Lionel Bennett, Esq.
Attorney at Law
945 W. Main Street
Address: Crisfield, Maryland 21817
PHONE NO. 968-1166

H. Theodore Shockley
Clerk

SHERIFF'S RETURN

moned and copy of Title of Bill of Complaint, Affidavit and Exhibit A, Filed, Subpoena Issued to Edward Lee Charnick Jr., Subpoena Issued to Mary Ellen Scott, Janie Charnick And Eloise Charnick.

...e within Mary Ellen Scott, Janie Charnick, Eloise Charnick

this 30th day of July and 5th of Aug., 1982

Charles Bozman
Sheriff
Deputy Sheriff

FILED

AUG 5 9 43 AM '82

BOOK 048 PAGE 715

REC...
LIBER...
FOLIO...
BY...
...CLCT.
...DEPUTY

DIRECTED TO: Lionel Bennett Esq.
Attorney at Law
945 W. Main Street
Crisfield, Maryland 21817

BOOK 048 PAGE 716

(Md. Rule 107 - Service of process outside the State)

No. 11,342 Chancery Case

STATE OF MARYLAND, Somerset County, To-Wit:

THE STATE OF MARYLAND to

EDWARD LEE CHARNICK, JR.
Bridgeville
Delaware 19333

INA R. ORCUTT
1623 S. Rodgers
Bartlesville, Oklahoma 74003

CAROLE C. SMITH
1425 Ramsey Rd.
Norfolk, Virginia 23501

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of August next and ending sixty days from the date of the completion of service if made in the limits of the United States and ninety days if beyond cause your answer or other defense to be filed to the complaint of WILLIAM CHARNICK
Crisfield, Maryland 21817

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable RICHARD M. POLLITT, Chief Judge of the First Judicial Circuit of Maryland.

Issued the 29th day of July, 19 82

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office within sixty days from the date of the completion of service if made in the limits of the United States and ninety days if beyond. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded. FAILURE TO DO SO, A FINAL DECREE WILL BE RENDERED FORECLOSING ALL RIGHTS OF REDEMPTION IN THE PROPERTY.

Solicitor for Complainant(s)

Name Lionel Bennett, Esq.
Attorney at Law
945 W. Main Street
Address Crisfield, Maryland 21817
PHONE NO. 968-1166

S. Theodore Sheehan
Clerk

William Charnick
Crisfield, Maryland 21817
Plaintiff

vs

Edward Lee Charnick, Jr.
Bridgeville, Delaware 19333

Mary Ellen Scott
Kingston, Md. 21834

Ina R. Orcutt
1623 S. Rodgers
Bartlesville, Oklahoma 74003

Janie Charnick
8 Walnut Street
Crisfield, Md. 21817

Carole C. Smith
1425 Ramsey Rd.
Norfolk, Virginia 23501

Eloise Charnick
264 Hinman Rd.
Crisfield, Md. 21817
Defendants

In Equity No. 11,342

In the Circuit Court for

Somerset County, Maryland

ORDER OF PUBLICATION

The object of this proceeding is to secure the foreclosure of all rights of redemption in the following described property, situate in the City of Crisfield, Somerset County, Maryland, sold by Julian C. Tyler, City Clerk-Treasurer of the City of Crisfield, Crisfield, Maryland and Collector of City Taxes therein, to the Plaintiff in this proceeding; and being more particularly described as follows:

ALL that lot or parcel of land on the North side of Walnut Street assessed as 60'x 100' devised unto Edward Lee Charnick, Alonza Charnick, Ralph H. Charnick, Ina R. Orcutt and Ina R. Orcutt in trust for Harold Charnick by Mary E. Charnick by Will dated August 30, 1945 and recorded in Liber E.L.F. No. 36 at folio 434 shown on Tax Map 2 in Block 21 as Parcel 9.

Assessed to Edward Lee Charnick, et al., for the years 1976 through 1982.

The necessary amount to redeem said property is $550.00.

The Bill states that the above defendants are the owners of the above described parcel of land.

That more than a year and a day from the date of sale has expired, and the property has not been redeemed.

IT IS THEREUPON this 30th day of ~~August~~ July, 1982, by the Circuit Court for Somerset County, Maryland, sitting in equity, ORDERED, that notice be given by the insertion of a copy of the Order in some newspaper having a general circulation and published in said Somerset County, once a week for four consecutive weeks, on or before the 30th day of August, 1982, warning all persons interested in said property to be and appear in this Court on or before the 27th day of ~~August~~ SEPTEMBER, 1982, and redeem said property and answer the Bill, or thereafter a final Decree will be rendered foreclosing all rights of redemption in said property and vesting in said Plaintiff, a title free and clear of all liens and encumbrances.

Lloyd L. Lockerman
Judge

William Charnick

Plaintiff

vs

Edward Lee Charnick, Jr. et als.

In Equity No. 11,342

In the Circuit Court for

Somerset County, Maryland

CERTIFICATE OF POSTING

I hereby certify that on 4th of August, 1982 I posted on the bulletin board at the door of the Court House in Princess Anne, Maryland the Order of Publication herein dated July 30, 1982.

Sheriff of Somerset County

BOOK 048 PAGE 720

William Charnick

Plaintiff

vs

Edward Lee Charnick, Jr. et als.

Defendants

In Equity No. 11,342

In the Circuit Court for

Somerset County, Maryland

CERTIFICATE OF MAILING

I certify that on August 3, 1982, I mailed a copy of Order of Publication in the above entitled matter to Edward Lee Charnick, Jr., Bridgeville, Delaware 19333, Ina R. Orcutt, 1623 S. Rodgers, Bartlesville, Oklahoma 74003 and Carole C. Smith, 1425 Ramsey Rd., Norfolk, Virginia 23501.

Lionel Bennett
Attorney for Plaintiff

William Charnick
Plaintiff
vs.
Edward Lee Charnick, Jr., et al.
Defendants

In Equity No. 11,342
In the Circuit Court for
Somerset County, Maryland

EXHIBIT "B"

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on this 6th day of July, 1982, before the subscriber, a Notary Public of the State of Maryland in and for Somerset County, personally appeared Lionel Bennett and being duly sworn did depose and say that he is a member of the bar of the State of Maryland and has been practicing his profession therein in said county for more than 35 years prior to this date and that he has made an examination of the public records of Somerset County, Maryland, to ascertain whether there have been any conveyances by or liens against Edward Lee Charnick, Alonzo Charnick, Ralph H. Charnick, Ina R. Orcutt, and Ina R. Orcutt in trust for Harold Charnick, with respect to the real estate described in paragraph 1 of the foregoing bill of complaint from August 14, 1895 to and including the date hereof and found none; and further that he had made an examination of the testamentary records of said county to ascertain whether there had been any administration of an estate of any of the foregoing since December 1, 1960 and found none.

Witness my hand and Notarial Seal.

FELDA M. MASSEY
NOTARY PUBLIC
Crisfield, Maryland

Felda M. Massey
Notary Public

BOOK 048 PAGE 722

William Charnick
Plaintiff
vs.
Edward Lee Charnick, Jr., et al.
Defendants

In Equity No. 11, 342
In the Circuit Court for
Somerset County, Maryland

DECREE PRO CONFESSO

The petition of the plaintiff respectfully shows:

That the defendants have been duly summoned to appear to the bill of complaint herein, but have failed to appear to or answer said bill of complaint within the time prescribed by the rules of this Court.

That plaintiff therefore prays that the bill of complaint may be taken pro confesso against the said defendants and that the plaintiff have leave to take testimony before one of the Standing Examiners of this Court.

Lionel Bennett
Attorney for Plaintiff

ORDER

It appearing in the above entitled cause that the defendants have been duly summoned to appear to the bill of complaint herein, but have failed to appear to or answer said bill of complaint within the time prescribed by the rules of this Court, it is thereupon this 5th day of Oct. , 1982, by the Circuit Court for Somerset County, in Equity, adjudged, ordered and decreed that said bill of complaint be, and the same is hereby taken pro confesso against said defendants, and it is further ordered that the plaintiff have leave to take testimony before one of the Standing Examiners of this Court.

Judge

William Charnick	:	No. 11,342 Chancery Case
vs.	:	In the Circuit Court for
Edward Lee Charnick, Jr. Mary Ellen Scott	:	Somerset County
Ina R. Orcutt Janie Charnick	:	State of Maryland
Carole C. Smith Eloise Charnick	:	DATE: October 5, 1982
	:	
	:	
	:	

NOTICE OF JUDGMENT BY DEFAULT

OR

DECREE PRO CONFESSO

TO: Carole C. Smith

1425 Ramsey Rd.

Norfolk, Virginia 23501

In accordance with Maryland Rules of Procedure, you are notified that a ~~judgment by default/summary judgment~~/decree pro confesso/. ~~summary decree~~ was entered against you in the above entitled case on October 5, 1982.

If you wish to take exception to this ~~Judgment~~/Decree/~~by default~~, you have thirty days from the date of the ~~Judgment~~/Decree within which to do so.

I. Theodore Phoebus
Clerk of the Circuit Court for
Somerset County, Maryland

BOOK 048 PAGE 724

William Charnick	:	No. 11,342 Chancery Case
vs.	:	In the Circuit Court for
Edward Lee Charnick, Jr. Mary Ellen Scott Ina R. Orcutt	:	Somerset County
Janie Charnick Carole C. Smith	:	State of Maryland
Eloise Charnick	:	DATE: October 5, 1982
	:	
	:	
	:	

NOTICE OF JUDGMENT BY DEFAULT

OR

DECREE PRO CONFESSO

TO: Janie Charnick
8 Walnut Street
Crisfield, Maryland 21817

In accordance with Maryland Rules of Procedure, you are notified that a ~~judgment by default/summary judgment~~/decree pro confesso/. ~~summary decree~~ was entered against you in the above entitled case on October 5, 1982.

If you wish to take exception to this ~~Judgment~~/Decree/~~by default~~, you have thirty days from the date of the ~~Judgment~~/Decree within which to do so.

I. Theodore Phoebus
I. Theodore Phoebus
Clerk of the Circuit Court for
Somerset County, Maryland

William Charnick	:	No. 11,342 Chancery Case
vs.	:	In the Circuit Court for
Edward Lee Charnick, Jr. Mary Ellen Scott Ina R. Orcutt	:	Somerset County
Janie Charnick Carole C. Smith Eloise Charnick	:	State of Maryland
	:	DATE: October 5, 1982
	:	
	:	
	:	

NOTICE OF JUDGMENT BY DEFAULT

OR

DECREE PRO CONFESSO

TO: Ina R. Orcutt
1623 S. Rodgers
Bartlesville, Oklahoma 74003

In accordance with Maryland Rules of Procedure, you are notified that a ~~judgment by default/summary judgment~~/decree pro confesso/. ~~summary decree~~ was entered against you in the above entitled case on October 5, 1982.

If you wish to take exception to this ~~Judgment~~/Decree/~~by default~~, you have thirty days from the date of the ~~Judgment~~/Decree within which to do so.

I. Theodore Phoebus
Clerk of the Circuit Court for
Somerset County, Maryland

William Charnick	:	No. 11,342 Chancery Case
vs.	:	In the Circuit Court for
Edward Lee Charnick, Jr. Mary Ellen Scott Ina R. Orcutt	:	Somerset County
Janie Charnick Carole C. Smith	:	State of Maryland
Eloise Charnick	:	DATE: October 5, 1982
	:	
	:	
	:	

NOTICE OF JUDGMENT BY DEFAULT

OR

DECREE PRO CONFESSO

TO: Mary Ellen Scott

Kingston, Maryland 21834

In accordance with Maryland Rules of Procedure, you are notified that a ~~judgment by default/summary judgment~~/decree pro confesso/. ~~summary decree~~ was entered against you in the above entitled case on October 5, 1982.

If you wish to take exception to this ~~Judgment~~/Decree/~~by default~~, you have thirty days from the date of the ~~Judgment~~/Decree within which to do so.

I. Theodore Phoebus

I. Theodore Phoebus
Clerk of the Circuit Court for
Somerset County, Maryland

William Charnick	:	No. 11,342 Chancery Case
vs.	:	In the Circuit Court for
Edward Lee Charnick, Jr. Mary Ellen Scott Ina R. Orcutt	:	Somerset County
Janie Charnick Carole C. Smith	:	State of Maryland
Eloise Charnick	:	DATE: October 5, 1982
	:	
	:	
	:	

NOTICE OF JUDGMENT BY DEFAULT

OR

DECREE PRO CONFESSO

TO: Edward Lee Charnick, Jr.

Bridgeville

Delaware 19333

In accordance with Maryland Rules of Procedure, you are notified that a ~~judgment by default/summary judgment~~/decree pro confesso/. ~~summary decree~~ was entered against you in the above entitled case on October 5, 1982.

If you wish to take exception to this ~~Judgment~~/Decree/~~by default~~, you have thirty days from the date of the ~~Judgment~~/Decree within which to do so.

I. Theodore Phoebus

I. Theodore Phoebus
Clerk of the Circuit Court for
Somerset County, Maryland

William Charnick	:	No. 11,342 Chancery Case
vs.	:	In the Circuit Court for
Edward Lee Charnick, Jr. Mary Ellen Scott	:	Somerset County
Ina R. Orcutt Janie Charnick	:	State of Maryland
Carole C. Smith Eloise Charnick	:	DATE: October 5, 1982
	:	
	:	
	:	

NOTICE OF JUDGMENT BY DEFAULT

OR

DECREE PRO CONFESSO

TO: Eloise Charnick

264 Hinman Rd.

Crisfield, Md. 21817

In accordance with Maryland Rules of Procedure, you are notified that a ~~judgment by default/summary judgment~~/decree pro confesso/. ~~summary decree~~ was entered against you in the above entitled case on October 5, 1982.

If you wish to take exception to this ~~Judgment~~/Decree/~~by default~~, you have thirty days from the date of the ~~Judgment~~/Decree within which to do so.

I. Theodore Phoebus

I. Theodore Phoebus
Clerk of the Circuit Court for
Somerset County, Maryland

William Charnick,

Plaintiff

vs

Edward Lee Charnick, Jr., et al.

Defendants

In Equity No. 11,342

In the Circuit Court for

Somerset County, Maryland

TESTIMONY

In this cause, testimony having to be taken to support the allegations of the bill, I, William A. Martin, Jr., of Crisfield, Maryland, Standing Examiner of the Circuit Court for Somerset County, Maryland, in Equity, duly appointed, sworn, etc., do hereby certify that on this 19th day of November , 1982, in Somerset County aforesaid, I did take the following testimony, to wit:

William Charnick, a witness of lawful age, the plaintiff herein, being duly sworn, deposes and says:

EXAMINATION BY MR. LIONEL BENNETT:

Q. Please state your name, age and residence.
A. My name is William Charnick, I am years old, I reside in Crisfield, Somerset County, Maryland.

Q. Are you familiar with the property mentioned in these proceeding?
A. I am. I bought the following property at a tax sale on May 19, 1981, for the price of $550.00, the full purchase price of said property now having been paid to Julian C. Tyler, Collector of Taxes for the City of Crisfield, Maryland.

Q. The following lot was assessed to Edward Lee Charnick, Alonza Charnick, Ralph H. Charnick, Ina R. Orcutt and Ina R. Orcutt in trust for Harold Charnick shown on Tax Map 2 Block 21 as Parcel 9.

Is this the property you referred to as having been purchased at the tax sale above mentioned?
A. It is.

Q. Following the tax sale you described did you receive any documents from the Collector of Taxes of the City of Crisfield to show that you had bought this property at said sale.
A. Yes. I received a Certificate of Sale attached to the Bill of Complaint filed herein and attached thereto and marked Exhibit A.

Q. Have you received any notification from anyone of the redemption of the property or any intention to redeem the same, or has any money been paid to you on account of the refund of the money which you paid for the property and which you just described?
A. No.

Q. What, if anything, have you done to endeavor to ascertain whether this property was properly assessed or whether it was conveyed away or whether any disposition of said property has been made; and what, if anything, did you do to try to bring notice of this proceeding to any party or parties that might be interested?
A. My attorney, Lionel Bennett, prepared a Bill of Complaint and an Order of Publication which were filed in these proceedings; but before filing these, he examined the land records of Somerset County, Maryland and also, the records of the office of the Register of Wills and also, the records of the Court of Law and Equity in

the said county in order to determine whether any of the defendants had made any conveyance of record of the real estate described in these proceedings, or any part thereof, and for the purpose of determining whether there were any liens, mortgages or encumbrances of record against the said property or against the defendants with respect to said property and also, for the purpose of determining whether any administration had been had in Somerset County, Maryland upon the estate of any of the defendants. His Affidavit as to Search discloses what he found, said Affidavit being filed herein in this case, and I make the same a part of my testimony. After the filing of this suit, he saw to it that an Order of Publication was issued in a weekly newspaper, published in Crisfield, Somerset County, Maryland. Later, I mailed to the said defendants a certified letter, including a copy of the Bill of Complaint and Order of Publication, as will be seen by the Affidavit filed in these proceedings which I adopt as a part of my testimony. Subsequently; he prepared a Petition for Decree Pro Confesso and Leave to Take Testimony against the said defendants, and all other possible defendants, being all persons having or claiming to have any interest in and to the said real estate mentioned and described in these proceedings.

To the Examiner's general question the answer was "no".

There being no further witnesses to be examined and at the suggestion of the Solicitor for the complainant, the papers are herewith returned to the Court, and I further certify this annexed bill of costs is correct and paid by the plaintiff. This examination was conducted in compliance with General Equity Rule 580 g. The Examiner remained in the same room with the witnesses throughout the taking of the testimony. In his judgment, no examination or cross-examination was proper or necessary for a full presentation of the true facts in the case. There were no irregularities or unusual circumstances in the taking of the testimony or in the conduct of the proceeding.

Bill of Costs

Examiner $25.00

Witness my hand and seal.

William Charnick
William Charnick

William A. Martin, Jr.
William A. Martin, Jr.
Standing Examiner in Chancery

William Charnick,
Plaintiff
vs
Edward Lee Charnick, Jr., et al.
Defendants

In Equity No. 11,342
In the Circuit Court for
Somerset County, Maryland

DECREE

The above case coming on for hearing, the proceedings being read and considered, it is, thereupon , this 9th day of December, 1982, by the Circuit Court for Somerset County, Maryland, sitting in equity, ADJUDGED, ORDERED AND DECREED that the property mentioned in these proceedings as having been sold to William Charnick, by Julian C. Tyler, Collector of Taxes for the City of Crisfield, Md. on the 19th day of May, 1981, is the property of the said William Charnick, it appearing from the said testimony that the said property set forth in said testimony was sold at said tax sale unto the said William Charnick, and being all the right, title and interest of the said Edward Lee Charnick, Jr., and all persons having or claiming to have any interest in and to the real estate mentioned and described in these proceedings and the Exhibits as having been conveyed unto the aforesaid parties, Defendant, respectively, and that the equity of redemption in the said parcel of real estate be, and the same is, hereby foreclosed, to the end that the said William Charnick may, and he is hereafter, to have and to hold said property by a good and merchantable fee simple title, said property being more particularly described as follows:

All that lot or parcel of land in the City of Crisfield, Somerset County, Maryland, on the North side of Walnut Street assessed as 60' x 100' devised unto Edward Lee Charnick, Alonza Charnick, Ralph H. Charnick, Ina R. Orcutt and Ina R. Orcutt in trust for Harold Charnick by Mary E. Charnick by Will dated August 30, 1945 and recorded in Liber E.L.F. No. 36 at folio 434 shown on Tax Map 2 in

Block 21 as Parcel 9. Assessment: $2160.00.

And it is further ADJUDGED, ORDERED and DECREED that Julian C. Tyler, Collector of Taxes for the City of Crisfield therein, execute and deliver unto the said William Charnick, at his expense, a good and sufficient deed or deeds under the laws of the State of Maryland, to convey unto him, his personal representatives and assigns, forever in fee simple, all of the above described property, if any, from and after the last of the years to collect the taxes due for which the said tax sale was made, together with all interest and penalties accrued thereon, and upon the payment of any and all balances due on the purchase price of said property in the tax sale aforesaid.

Lloyd L. Smith
Judge

APR 19 1984

Exd.

GERTRUDE HOWARD	*	IN THE CIRCUIT COURT
Complainant	*	FOR SOMERSET COUNTY
VS.	*	STATE OF MARYLAND
GEORGE EARL PARSONS et al	*	IN EQUITY NO. 11372
Respondents	*	

* * * * * * * * * *

DEAR MR. CLERK:

Kindly docket the attached case in Chancery.

SEP 15-82 B 527082D*****10.00
SEP 15-82 B 527081D*****60.00

R. Scott Davis
Ward & Davis
Attorney for Complainant
P.O. Box 647
Crisfield, Maryland 21817
Phone: 301-968-1100

GERTRUDE HOWARD	*	IN THE CIRCUIT COURT
Complainant	*	FOR SOMERSET COUNTY
VS.	*	STATE OF MARYLAND
GEORGE EARL PARSONS et al	*	IN EQUITY NO. 11,372
Respondents	*	

* *

AFFIDAVIT

I hereby certify that on this 13th day of September, 1982, before me, a subscriber, a Notary Public of the State of Maryland, personally appeared Gertrude Howard, Complainant herein, and she made oath in due form of law that the following facts are true and correct according to her information, best knowledge and belief:

(1) I have made reasonable and bona fide efforts to determine the heirs of Respondents and John H. Parsons and that as a result of my investigations, I believe the heirs of Respondents and John H. Parsons cannot be served by personal service.

(2) That I contacted the only other heirs that I knew addresses of, namely: George Earl Parsons and Mildred Cox, who know none of the addresses of other Respondents or heirs of John H. Parsons except the last known addresses of said Respondents as listed in the aforegoing Bill of Complaint which I also tried to contact but with no success.

(3) That all other attempts to contact appear to be fruitless.

Gertrude Howard
Gertrude Howard

Notary Public

My Commission Expires: 6/30/86

GERTRUDE HOWARD Crisfield, Maryland 21817 Complainant VS.	IN THE CIRCUIT COURT FOR SOMERSET COUNTY STATE OF MARYLAND IN EQUITY CHANCERY NO. 11,372
GEORGE EARL PARSONS 3433 South Leisure World Blvd. Silver Spring, Md. 20906	
EMILY NORTHAM Parksley, Virginia	
ANNE HOLCOMB Fayetteville, North Carolina	
BRYAN PARSONS Charleston, North Carolina	
VIRGINIA PARSONS Charleston, North Carolina	
EDWIN PARSONS Charleston, North Carolina	
GERTRUDE CLARK Charleston, North Carolina	
MILDRED COX 41 Murray Hill Circle Baltimore, Md. 21212	
CARLTON WALKER 646 East Dorado Drive Woodland, California 95695	
CLARENCE WALKER 7 Wier Avenue Hill Crest Wilmington, Delaware	
ESTHER GIBSON Methodist Country House 4830 Kennett Pike Wilmington, Delaware	
CHARLES PARKER Wingate, Wisconsin	
MILLIE PARKER Wingate, Wisconsin	
CATHERINE PUSEY Ocean View, Delaware	
The Unknown Heirs, Devisees, and Personal Representatives of Sampson Parsons, and their or any of their heirs, devisees, executors, administrators, grantees, assigns or successors in right, title and interest or any other Person or Corporation having an interest in the real estate described herein Addresses unknown	

The Unknown Heirs, Devisees, and :
Personal Representatives of
Gertrude Parsons Walker, and their :
or any of their heirs, devisees,
executors, administrators, :
grantees, assigns or successors
in right, title and interest or :
any other Person or Corporation
having an interest in the real :
estate described herein
Addresses unknown :

The Unknown Heirs, Devisees, and :
Personal Representatives of
Elizabeth Parsons Wimbrow, and :
their or any of their heirs,
devisees, executors, :
administrators, grantees,
assigns or successors in right, :
title and interest or any other
Person or Corporation having :
an interest in the real estate
described herein :
Addresses unknown
:
The Unknown Heirs, Devisees, and
Personal Representatives of :
Hannah Parsons, and their or any
of their heirs, devisees, executors, :
administrators, grantees, assigns,
or successors in right, title and :
interest or any other Person or
Corporation having an interest in :
the real estate described herein
Addresses unknown :

The Unknown Heirs, Devisees, and :
Personal Representatives of
Marion Parsons, and their or any :
of their heirs, devisees, executors,
administrators, grantees, assigns :
or successors in right, title and
interest or any other Person or :
Corporation having an interest
in the real estate described herein :
Addresses unknown
:
The Unknown Heirs, Devisees, and
Personal Representatives of :
John H. Parsons, and their or any
of their heirs, devisees, executors, :
administrators, grantees, assigns
or successors in right, title and :
interest or any other Person or
Corporation having an interest in :
the real estate described herein
Addresses unknown :

RESPONDENTS :

:::

GERTRUDE HOWARD	*	NO. 11,372 CHANCERY
Complainant	*	IN THE CIRCUIT COURT
VS.	*	FOR SOMERSET COUNTY
GEORGE EARL PARSONS, et al	*	STATE OF MARYLAND
Respondents	*	

* *

BILL OF COMPLAINT FOR SALE OF LAND

IN LIEU OF PARTITION

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Gertrude Howard, through her Solicitors, the Law Office of Ward & Davis, represents unto this Honorable Court as follows:

1. That this Bill of Complaint for Sale of Land in Lieu of Partition is filed pursuant to the provisions of the Real Property Article of the Annotated Code of Maryland, Section 14-107, and pursuant to the Maryland Rules of Procedure.

2. The Oratrix, Gertrude Howard, is one of the heirs of the Estate of John H. Parsons who died on or about July 8, 1938, a resident of Somerset County, State of Maryland, which estate has been opened and is being administered in the Orphans' Court for Somerset County, State of Maryland, in Estate No. 2301.

3. That John H. Parsons was seized and possessed of certain real estate more particularly described in Exhibit A which is attached hereto and incorporated as a part herein.

4. That the said John H. Parsons died intestate on or about July 8, 1938, leaving the following descendants, to whom as heirs at law, the said property descended:

(a) Your Oratrix, a niece of the said John H. Parsons, daughter of Anda Hitch, sister of John H. Parsons, said Anda Hitch dying intestate.

(b) A brother, George Parsons, who departed this life and believed to be intestate and leaving as his only descendant and heir at law one George Earl Parsons, a son, who is believed to be living in 3433 South Leisure World Boulevard, Silver Spring, Maryland 20906.

(c) Sampson Parsons, a brother, deceased, who is believed to have departed this life intestate leaving the following descendants and heirs at law:

(1) Emily Northam, daughter of Sampson Parsons, who is believed to be living in Parksley, Virginia.

(2) Anne P. Holcomb, daughter of Sampson Parsons, who is believed to be living in Fayetteville, North Carolina.

(3) Bryan Parsons, son of Sampson Parsons, who is believed to be living in Charleston, North Carolina.

(4) Virginia Parsons, daughter of Sampson Parsons, who is believed to be living in Charleston, North Carolina.

(5) Edwin Parsons, son of Sampson Parsons, who is believed to be living in Charleston, North Carolina.

(6) Gertrude Clark, daughter of Sampson Parsons, who is believed to be living in Charleston, North Carolina.

(d) Gertrude Parsons Walker, a sister, deceased, who is believed to have departed this life intestate leaving the following descendants and heirs at law:

(1) Mildred Cox, daughter of Gertrude Parsons Walker, who is believed to be living in 41 Murray Hill Circle, Baltimore, Maryland 21212.

(2) Carlton Walker, a son of Gertrude Parsons Walker, who is believed to be living in 646 E. Dorado Drive, Woodland, California 95695.

(3) Clarence Walker, a son of Gertrude Parsons Walker, who is believed to be living in 7 Wier Avenue, Hill Crest, Wilmington, Delaware.

(4) Esther Gibson, a daughter of Gertrude Parsons Walker, who is believed to be living in Methodist Country Home, 4830 Kennett Pike, Wilmington, Delaware.

(e) Elizabeth Parsons Wimbrow, a sister, deceased, who is believed to have departed this life intestate leaving the following descendants and heirs at law:

(1) Charles Parker, a son of Elizabeth Parsons Wimbrow, who is believed to be living in Wingate, Wisconsin.

(2) Millie Parker, a daughter of Elizabeth Parsons Wimbrow, who is believed to be living in Wingate, Wisconsin.

(f) Hannah Parsons, a sister, deceased, who is believed to have departed this life intestate leaving the following descendants and heirs at law:

(1) Catherine Pusey, a daughter, who is believed to be living in Ocean View, Delaware.

(g) Marion Parsons, a brother, deceased, who is believed to have departed this life intestate leaving no wife, children or parents.

5. That your Oratrix made a diligent effort to ascertain the identities and addresses of all the heirs of John H. Parsons, but that your Oratrix was unable to learn the full addresses of some of said heirs and further that there may be other heirs unknown to your Oratrix and that she believes an Order of Publication should be had to advise said heirs of the substance of this Bill of Complaint.

6. That said real estate is not susceptible to partition without material loss and injury to the parties entitled to interests therein as above stated and that in order to make division of said interest, it will be necessary that said real estate be sold and the proceeds thereof be divided among the parties according to their interests.

7. That you Oratrix believes that the value of the property is such that it would be in the best interests of the parties to sell the same at a public auction so that the proceeds arising therefrom, after payment of just costs, debts and expenses may be received by said Estate. The Estate closed and distribution made.

WHEREFORE, YOUR ORATRIX PRAYS:

1. That this Court pass an Order that the real estate referred to in these proceedings cannot be divided without material loss and injury to the Oratrix and other owners of said property.

2. That a decree may be passed for a public sale of the said real estate and that distribution of the monies arising therefrom under the supervision of this Court.

3. That Wade D. Ward, R. Scott Davis, and Joshua Miles be appointed trustees for the purpose of said sale.

4. That your Oratrix may have such other and further relief as the nature of her cause may require.

May it please your Honors to grant unto your Oratrix a writ of subpoena directed to the offices of R. Scott Davis, at his office in Crisfield, Maryland, to be served on the said Respondents, by Registered Mail, Return Receipt Requested, Restricted Delivery, commanding the Respondents to be and appear in this Court, at some certain date to be named therein, to answer

to the premises and to abide by and perform such decree as may be passed therein, said writ of subpoena to be served upon said Respondent pursuant to the provisions of Maryland Rules of Procedure and an Order of Publication be granted advising all heirs, known and unknown of the substance of this Bill of Complaint.

R. Scott Davis
Ward & Davis
Solicitors for Complainant
P.O. Box 647
Crisfield, Maryland 21817
Phone: 301-968-1100

Gertrude Howard
Gertrude Howard, Complainant

EXHIBIT A

All those lots or parcels of land owned by the said John H. Parsons, of which he died seized and possessed, said parcels of land being located in Lawsons Election District, Somerset County, State of Maryland and being more particularly described as follows:

Parcel No. 1 - All that lot or parcel of land situate as aforesaid and described on the Tax Records of the Department of Assessments and Taxation as Map No. 65, Block 21, Parcel 261, on the east side of the County road leading from Phoenix Church to Crisfield, containing two (2) acres of land, more or less, and being the same and all that land conveyed unto John H. Parsons by deed dated May 23, 1925 and recorded among the Land Records of Somerset County, State of Maryland in Liber No. 91, folio 594 et seq.

Parcel No. 2 - All that lot or parcel of land situate as aforesaid and described on the Tax Records of the Department of Assessments and Taxation as Map No. 65, Block 21, Parcel 262, and being described in the following deed as "on the northerly side of the County road leading from Parsonsville to St. Pauls Protestant Episcopal Church, containing six acres of land, more or less, bounded on the North by the land of Charles E. Matthews, on the East by the land of the heirs of Clarence L. Gunby, on the South by the land of Clara M. Hodson, and on the West by the aforesaid County road" and being the same and all that land conveyed unto John H. Parsons by deed dated September 2, 1924 and recorded among the aforesaid Land Records in Liber W.J.S. No. 91, folio 190 et seq.

Parcel No. 3 - All that lot or parcel of land situate as aforesaid and described on the Tax Records of the Department of Assessments and Taxation as Map No. 65, Block 9, Parcel 209, and being located on the north side of the Holland's Crossing Road and containing one acre of land, more or less, and being the same

and all that land conveyed unto the said John H. Parsons from Minnie M. Anderson et al, dated May 4, 1925 and recorded among the aforesaid Land Records in Liber W.J.S. No. 91, folio 556 et seq.

Parcel No. 4 - All that lot or parcel of land situate as aforesaid and described on the Tax Records of the Department of Assessments and Taxation as Map No. 65, Block 21, Parcel 263, and being more particularly described as in the following deed as "A piece or parcel of land with all the rights and privileges to water ways, that they themselves enjoy also an outlet to the County Road over a Twelve foot road, said piece or parcel of land is situated, lying and being in Lawsons District, Somerset County, State of Maryland, on the Northwest side of County road running from Samuel Sterling's residence to St. Pauls Church and adjoining the lands of the said Caroline Darby, Mary Sterling, and Levin H. Betts and running thence West one hundred yards, more or less, by and with the lands of Caroline Darby and to the centre of a ditch to Mary Sterling's land, and thence North 175 yards, more or less, by and with Mary Sterling's land and the centre of a ditch to Caroline Darby's land, thence East 47 yards, more or less, by and with Caroline Darby's land, and centre of ditch to White Oak boundary, thence South 35 yards more or less by and with ditch to cedar post, thence East 50 yards, more or less, by and with ditch to stone boundary, thence South 60 yards, more or less, by and with ditch to a post and stone, thence West 50 yards, more or less, by and with the lands of Levin H. Betts and centre of ditch to post, thence 45 yards, more or less, by and with the lands of Levin H. Betts and centre of ditch to place of beginning, the said piece or parcel of land, containing 3 acres, more or less," and being the same and all that land conveyed unto the said John H. Parsons by deed dated April 10, 1909 and recorded among the aforesaid Land Records in Liber S.F.D. No. 50, folio 531 et seq.

Parcel No. 5 - All those lots or parcels of land situate as aforesaid and described on the Tax Records of the Department of Assessments and Taxation as Map No. 65, Block 21, Parcel 260, located on the West side of the County Road known as Phoenix

Church Road and containing 33 acres, more or less, and being the same and all those parcels of land conveyed unto the said John H. Parsons by the following deeds:

(1) A deed dated April 7, 1902 from Elisha S. Parsons and wife and recorded among the aforesaid Land Records in Liber O.T.B. No. 33, folio 52 et seq.

(2) A deed dated April 7, 1902 from Cornelia J. Lankford and recorded among the aforesaid Land Records in Liber O.T.B. No. 33, folio 53 et seq.

(3) A deed dated March 9, 1906, from Paul L. Gunby and wife and recorded among the aforesaid Land Records in Liber O.T.B. No. 43, folio 66 et seq.

(4) A deed dated March 11, 1905 from Mary J. Whittington and others and recorded among the aforesaid Land Records in Liber O.T.B. No. 40, folio 289 et seq.

Parcel No. 6 - All those lots or parcels of land situate as aforesaid and being more particularly described as follows: All those lots or parcels of land which are laid down and described as Lots Nos. 1, 2, 3 and 9 of Block E; Lots Nos. 1, 2, 3, 4, 19, 20, 21 and 22 of Block D; Lots Nos. 1, 2, 3, 4, 26, 27, 28 and 29 of Block C; Lots Nos. 1, 2, 3, 4, 27, 28, 29 and 30 of Block B and Lots Nos. 1, 2, 3, 4, 27, 28, 29 and 30 of Block A, on a plat made by Levin H. Hall, Surveyor, and filed with, and as a part of a deed from Luther T. Miles and Flonnie H. Miles, his wife, to John H. Parsons and Aden Davis, Jr., dated November 23, 1916, and recorded among the Land Records of Somerset County, Maryland in Liber W.J.S. No. 71, folio 351 et seq; The said interest of John H. Parsons being an undivided 6/14 interest and estate in the aforegoing several lots; and being part only of all those lots and parcels of land conveyed unto John H. Parsons by the aforesaid deed.

DIRECTED TO: R. Scott Dav Esquire
Ward & Davis
P.O. Box 647
Crisfield, Maryland 21817

No. 11,372 Chancery Case

WRIT OF SUBPOENA:

The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland,
Somerset County, to wit:

TO Mildred Cox
41 Murray Hill Circle
Baltimore, Md. 21212

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of October next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Gertrude Howard
Crisfield, Maryland 21817

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable ~~Daniel T. Prettyman~~ Richard M. Pollitt Chief Judge of the First Judicial Circuit of Maryland.

Issued the 15th day of September, 19 82

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the 19th day of October, 19 82. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)
R. Scott Davis
Ward & Davis
Name P.O. Box 647
Crisfield, Maryland 21817
Address

BOOK 548 PAGE 745

I. Theodore Phoebus
Clerk

DIRECTED TO: R. Scott Davis, Esquire
Ward & Davis
P.O. Box 647
Crisfield, Maryland 21817

BOOK 948 PAGE 746

(Md. Rule 107 - Service of process outside the State)

No. 11,372 Chancery Case

STATE OF MARYLAND, Somerset County, To-Wit:

THE STATE OF MARYLAND to Catherine Pusey
Ocean View, Delaware

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of October next and ending sixty days from the date of the completion of service if made in the limits of the United States and ninety days if beyond cause your answer or other defense to be filed to the complaint of Gertrude Howard
Crisfield, Maryland 21817

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable ~~L. McMaster Duer~~ Richard M. Pollitt, Chief Judge of the First Judicial Circuit of Maryland.

Issued the 15th day of September, 19 82

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office within sixty days from the date of the completion of service if made in the limits of the United States and ninety days if beyond. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Name R. Scott Davis
Ward & Davis

Address P.O. Box 647
Crisfield, Maryland 21817

S. Theodore Phoebus
Clerk

DIRECTED TO: R. Scott D is, Esquire
Ward & Davis
P.O. Box 647
Crisfield, Maryland 21817

(Md. Rule 107 - Service of process outside the State)

No. 11,372 Chancery Case

STATE OF MARYLAND, Somerset County, To-Wit:

THE STATE OF MARYLAND to Millie Parker
Wingate, Wisconsin

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of October next and ending sixty days from the date of the completion of service if made in the limits of the United States and ninety days if beyond cause your answer or other defense to be filed to the complaint of Gertrude Howard
Crisfield, Maryland 21817

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable ~~B. McMaster Duer~~ Richard M. Pollitt, Chief Judge of the First Judicial Circuit of Maryland.

Issued the 15th day of September, 19 82

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office within sixty days from the date of the completion of service if made in the limits of the United States and ninety days if beyond. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

BOOK 048 PAGE 747

Solicitor for Complainant(s)

Name R. Scott Davis
Ward & Davis

Address P.O. Box 647
Crisfield, Maryland 21817

J. Theodore Phoebus
Clerk

DIRECTED TO: R. Scott D s, Esquire
Ward & Davis
P.O. Box 647
Crisfield, Maryland 21817

(Md. Rule 107 - Service of process outside the State)

No. 11,372 Chancery Case

STATE OF MARYLAND, Somerset County, To-Wit:

BOOK 043 PAGE 748

THE STATE OF MARYLAND to Charles Parker
Wingate, Wisconsin

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of October next and ending sixty days from the date of the completion of service if made in the limits of the United States and ninety days if beyond cause your answer or other defense to be filed to the complaint of Gertrude Howard
Crisfield, Maryland 21817

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable ~~B. McMaster Duer~~ Richard M. Pollitt, Chief Judge of the First Judicial Circuit of Maryland.

Issued the 15th day of September, 19 82

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office within sixty days from the date of the completion of service if made in the limits of the United States and ninety days if beyond. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Name R. Scott Davis
Ward & Davis

Address P.O. Box 647
Crisfield, Maryland 21817

J. Theodore Phoebus
Clerk

DIRECTED TO: R. Scott D s, Esquire
Ward & Davis
P.O. Box 647
Crisfield, Maryland 21817

(Md. Rule 107 - Service of process outside the State)

No. 11,372 Chancery Case

STATE OF MARYLAND, Somerset County, To-Wit:

THE STATE OF MARYLAND to Esther Gibson
Methodist Country House
4830 Kennett Pike
Wilmington, Delaware

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of October next and ending sixty days from the date of the completion of service if made in the limits of the United States and ninety days if beyond cause your answer or other defense to be filed to the complaint of Gertrude Howard
Crisfield, Maryland 21817

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable ~~B. McMaster Duer~~ Richard M. Pollitt, Chief Judge of the First Judicial Circuit of Maryland.

Issued the 15th day of September, 19 82

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office within sixty days from the date of the completion of service if made in the limits of the United States and ninety days if beyond. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Name R. Scott Davis
Ward & Davis

Address P.O. Box 647
Crisfield, Maryland 21817

BOOK 048 PAGE 749

J. Theodore Phoebus
Clerk

DIRECTED TO: R. Scott D s, Esquire
Ward & Davis
P.O. Box 647
Crisfield, Maryland 21817
(Md. Rule 107 - Service of process outside the State)

No. 11,372 Chancery Case

STATE OF MARYLAND, Somerset County, To-Wit:

BOOK 048 PAGE 750

THE STATE OF MARYLAND to Clarence Walker
7 Wier Avenue
Hill Crest
Wilmington, Delaware

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of October next and ending sixty days from the date of the completion of service if made in the limits of the United States and ninety days if beyond cause your answer or other defense to be filed to the complaint of Gertrude Howard
Crisfield, Maryland 21817

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable Richard M. Pollitt, Chief Judge of the First Judicial Circuit of Maryland.

Issued the 15th day of September, 19 82

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office within sixty days from the date of the completion of service if made in the limits of the United States and ninety days if beyond. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Name R. Scott Davis
Ward & Davis

Address P.O. Box 647
Crisfield, Maryland 21817

J. Theodore Phoebus
Clerk

DIRECTED TO: R. Scott D s, Esquire
Ward & Davis
P.O. Box 647
Crisfield, Maryland 21817

(Md. Rule 107 - Service of process outside the State)

No. 11,372 Chancery Case

STATE OF MARYLAND, Somerset County, To-Wit:

THE STATE OF MARYLAND to Carlton Walker
646 East Dorado Drive
Woodland, California 95695

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of October next and ending sixty days from the date of the completion of service if made in the limits of the United States and ninety days if beyond cause your answer or other defense to be filed to the complaint of Gertrude Howard
Crisfield, Maryland 21817

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable ~~L. McMaster Duer~~ Richard M. Pollitt, Chief Judge of the First Judicial Circuit of Maryland.

Issued the 15th day of September, 19 82

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office within sixty days from the date of the completion of service if made in the limits of the United States and ninety days if beyond. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

BOOK 048 PAGE 751

Name R. Scott Davis
Ward & Davis

Address P.O. Box 647
Crisfield, Maryland 21817

S. Theodore Phoebus
Clerk

DIRECTED TO: R. Scott Davis, Esquire
Ward & Davis
P.O. Box 647
Crisfield, Maryland 21817

(Md. Rule 107 - Service of process outside the State)

No. 11,372 Chancery Case

STATE OF MARYLAND, Somerset County, To-Wit:

THE STATE OF MARYLAND to Gertrude Clark
Charleston, North Carolina

BOOK 048 PAGE 752

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of October next and ending sixty days from the date of the completion of service if made in the limits of the United States and ninety days if beyond cause your answer or other defense to be filed to the complaint of Gertrude Howard
Crisfield, Maryland 21817

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable ~~R. McMaster Duer~~ Richard M. Pollitt, Chief Judge of the First Judicial Circuit of Maryland.

Issued the 15th day of September, 19 82

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office within sixty days from the date of the completion of service if made in the limits of the United States and ninety days if beyond. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Name R. Scott Davis
Ward & Davis

Address P.O. Box 647
Crisfield, Maryland 21817

Theodore Phelps
Clerk

DIRECTED TO: R. Scott D :s, Esquire
Ward & Davis
P.O. Box 647
Crisfield, Maryland 21817

(Md. Rule 107 - Service of process outside the State)

No. 11,372 Chancery Case

STATE OF MARYLAND, Somerset County, To-Wit:

THE STATE OF MARYLAND to Edwin Parsons
Charleston, North Carolina

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of October next and ending sixty days from the date of the completion of service if made in the limits of the United States and ninety days if beyond cause your answer or other defense to be filed to the complaint of Gertrude Howard
Crisfield, Maryland 21817

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable ~~B. McMaster Duer~~ Richard M. Pollitt, Chief Judge of the First Judicial Circuit of Maryland.

Issued the 15th day of September, 19 82

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office within sixty days from the date of the completion of service if made in the limits of the United States and ninety days if beyond. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

BOOK 048 PAGE 753

Solicitor for Complainant(s)

Name R. Scott Davis
Ward & Davis

Address P.O. Box 647
Crisfield, Maryland 21817

Theodore Sheehan
Clerk

DIRECTED TO: R. Scott Davis, Esquire
Ward & Davis
P.O. Box 647
Crisfield, Maryland 21817
(Md. Rule 107 - Service of process outside the State)

No. 11,372 Chancery Case

STATE OF MARYLAND, Somerset County, To-Wit:

BOOK 048 PAGE 754

THE STATE OF MARYLAND to Virginia Parsons
Charleston, North Carolina

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of October next and ending sixty days from the date of the completion of service if made in the limits of the United States and ninety days if beyond cause your answer or other defense to be filed to the complaint of Gertrude Howard
Crisfield, Maryland 21817

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable ~~E. McMaster Duer~~ Richard M. Pollitt, Chief Judge of the First Judicial Circuit of Maryland.

Issued the 15th day of September, 19 82

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office within sixty days from the date of the completion of service if made in the limits of the United States and ninety days if beyond. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Name R. Scott Davis
Ward & Davis

Address P.O. Box 647
Crisfield, Maryland 21817

S. Theodore Phelps
Clerk

DIRECTED TO: R. Scott D s, Esquire
Ward & Davis
P.O. Box 647
Crisfield, Maryland 21817

(Md. Rule 107 - Service of process outside the State)

No. 11,372 Chancery Case

STATE OF MARYLAND, Somerset County, To-Wit:

THE STATE OF MARYLAND to Bryan Parsons
Charleston, North Carolina

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of October next and ending sixty days from the date of the completion of service if made in the limits of the United States and ninety days if beyond cause your answer or other defense to be filed to the complaint of Gertrude Howard
Crisfield, Maryland 21817

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable ~~B. McMaster Duer~~ Richard M. Pollitt, Chief Judge of the First Judicial Circuit of Maryland.

Issued the 15th day of September, 19 82

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office within sixty days from the date of the completion of service if made in the limits of the United States and ninety days if beyond. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

BOOK 948 PAGE 755

Solicitor for Complainant(s)

Name R. Scott Davis
Ward & Davis

Address P.O. Box 647
Crisfield, Maryland 21817

Theodore Phoebus
Clerk

DIRECTED TO: R. Scott D is, Esquire
Ward & Davis
P.O. Box 647
Crisfield, Maryland 21817

(Md. Rule 107 - Service of process outside the State)

No. 11,372 Chancery Case

STATE OF MARYLAND, Somerset County, To-Wit:

BOOK 048 PAGE 756

THE STATE OF MARYLAND to Anne Holcomb
Fayetteville, North Carolina

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of October next and ending sixty days from the date of the completion of service if made in the limits of the United States and ninety days if beyond cause your answer or other defense to be filed to the complaint of Gertrude Howard
Crisfield, Maryland 21817

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable Richard M. Pollitt, Chief Judge of the First Judicial Circuit of Maryland.

Issued the 15th day of September, 19 82

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office within sixty days from the date of the completion of service if made in the limits of the United States and ninety days if beyond. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

Solicitor for Complainant(s)

Name R. Scott Davis
Ward & Davis

Address P.O. Box 647
Crisfield, Maryland 21817

L. Theodore Thoebus
Clerk

DIRECTED TO: R. Scott D is, Esquire
Ward & Davis
P.O. Box 647
Crisfield, Maryland 21817
(Md. Rule 107 - Service of process outside the State)

No. 11,372 Chancery Case

STATE OF MARYLAND, Somerset County, To-Wit:

THE STATE OF MARYLAND to Emily Northam
Parksley, Virginia

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of October next and ending sixty days from the date of the completion of service if made in the limits of the United States and ninety days if beyond cause your answer or other defense to be filed to the complaint of Gertrude Howard
Crisfield, Maryland 21817

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable ~~B. McMaster Duer~~ Richard M. Pollitt, Chief Judge of the First Judicial Circuit of Maryland.

Issued the 15th day of September, 19 82

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office within sixty days from the date of the completion of service if made in the limits of the United States and ninety days if beyond. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.

BOOK 048 PAGE 757

Solicitor for Complainant(s)
Name R. Scott Davis
Ward & Davis
Address P.O. Box 647
Crisfield, Maryland 21817

S. Theodore Phoebus
Clerk

DIRECTED TO: R. Scott Davis, Esquire
Ward & Davis
P.O. Box 647
Crisfield, Maryland 21817

WRIT OF SUBPOENA:

No. 11,372 Chancery Case

The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland,
Somerset County, to wit:

BOOK 048 PAGE 758

TO George Earl Parsons
3433 South Leisure World Blvd.
Silver Spring, Md. 20906

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of October **next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of** Gertrude Howard
Crisfield, Maryland 21817

against you exhibited in the Circuit Court for Somerset County. Hereof fail not, as you will answer the contrary at your peril.

WITNESS, the Honorable ~~Daniel T. Prettyman~~ Richard M. Pollitt **Chief Judge of the First Judicial Circuit of Maryland.**

Issued the 15th day of September, 19 82

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the 19th **day of** October, 19 82 **. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.**

Solicitor for Complainant(s)
R. Scott Davis
Ward & Davis
Name
P.O. Box 647
Crisfield, Maryland 21817
Address

L. Theodore Phoebus
Clerk

GERTRUDE HOWARD	*	IN THE CIRCUIT COURT
Complainant	*	FOR SOMERSET COUNTY
VS.	*	STATE OF MARYLAND
GEORGE EARL PARSONS et al	*	IN EQUITY NO. 11,372
Respondents	*	

* *

MOTION FOR ORDER OF PUBLICATION

COMES the Plaintiff, Gertrude Howard by her attorney R. Scott Davis, and move this Honorable Court for an Order of Publication and say:

1. That this is an action for a Sale of Real Estate In Lieu of Partition of property located in Lawsons Election District, Somerset County, Maryland, where the rights of persons living or dead may be involved. Those persons are as follows: George Earl Parsons (son of George Parsons), George Parsons, brother of John Parsons, deceased; Emily Parsons Northam, Virginia Parsons, Anne P. Holcomb, Bryan Parsons, Edwin Parsons, Gertrude P. Clark (all being the heirs of Sampson Parsons), Sampson Parsons, a brother to the John H. Parsons, deceased; Mildred Cox, Carlton Walker, Clarence Walker, Esther Gibson (all being the heirs of Gertrude Parsons Walker), Gertrude Parsons Walker, sister of John Parsons, deceased; Millie Parker and Charles Parker (all being the heirs of Elizabeth Parsons Wimbrow), Elizabeth Parsons Wimbrow, sister to the John H. Parsons, deceased; Catherine Pusey (heir of Hannah Parsons), Hannah Parsons, sister of John H. Parsons, deceased; Marion Parsons, who was a brother to John H. Parsons, deceased.

2. That this action may also involve the successors in interest to those persons whose rights are involved and those successors in interest are known to your Plaintiff only as the Unknown Heirs, Devisees or Personal Representatives of George Earl Parsons, George Parsons, Emily Parsons Northam, Virginia Parsons, Anne P. Holcomb, Bryan Parsons, Edwin Parsons, Gertrude P. Clark, Sampson Parsons, Mildred Cox, Carlton Walker, Clarence Walker, Esther Gibson, Gertrude Parsons Walker, Millie Parker, Charles Parker, Elizabeth Parsons Wimbrow, Catherine Pusey, Hannah Parsons, and Marion Parsons.

3. That the only persons whose present addresses are known to your Plaintiff are George Earl Parsons, who is the son of George Parsons and resides at 3433 Leisure World Boulevard, Silver Spring, Maryland, and Mildred Cox, who resides at 41 Mary Hill Circle, Baltimore, Maryland. The Plaintiff will serve them personally with the Writ of Summons and Bill of Complaint to Partition.

4. That the whereabouts and addresses of all other persons named herein are unknown to your Plaintiff.

5. That all persons named herein have been the only persons revealed by a search of the Land Records of Somerset County and Orphans' Court of Somerset County, Maryland, to have a claim or right in the land in question.

6. That as the Plaintiff does not know whether the persons named herein are living or dead nor whether they are residents or non-residents of Somerset County, Maryland, nor who they are and their whereabouts are unknown, she requests that this Court pass an Order requiring notice of this suit be published in accordance with Maryland Rule 105 so that these persons may be notified of the suit and the object of these proceedings.

WHEREFORE, the Plaintiff, Gertrude Howard by her attorney R. Scott Davis, of Ward & Davis, requests the Court to grant an Order of Publication.

Gertrude Howard
Gertrude Howard, Complainant

R. Scott Davis
Ward & Davis
Attorney for Complainant
P.O. Box 647
Crisfield, Maryland 21817
Phone: 301-968-1100

I do solemnly declare and affirm under penalties of perjury that the contents of the aforegoing Motion for Order of Publication are true and correct to the best of my knowledge, information and belief.

Gertrude Howard
Gertrude Howard

GERTRUDE HOWARD	*	IN THE CIRCUIT COURT
Complainant	*	FOR SOMERSET COUNTY
VS.	*	STATE OF MARYLAND
GEORGE EARL PARSONS et al	*	IN EQUITY NO. 11,372
Respondents	*	

* *

ORDER

The Complainant's Motion for Order of Publication, together with the Complainant's Bill of Complaint For Sale of Land in Lieu of Partition having been read and considered by this Court, it is, this 16 day of SEPT., 1982, by the Circuit Court for Somerset County, State of Maryland, ORDERED that the Clerk of the Circuit Court for Somerset County, State of Maryland, shall cause an Order of Publication to be published in the Crisfield Times, Crisfield, Maryland 21817 once a week for three successive weeks in accordance with Maryland Rules of Procedure, Rule 105.

N. E. Horsey
Judge

GERTRUDE HOWARD Crisfield, Maryland 21817 Complainant	:	IN THE CIRCUIT COURT FOR SOMERSET COUNTY STATE OF MARYLAND
VS.	:	IN EQUITY CHANCERY NO 11372
GEORGE EARL PARSONS 3433 South Leisure World Blvd. Silver Spring, Md. 20906	:	BOOK 048 PAGE 762
EMILY NORTHAM Parksley, Virginia	:	
ANNE HOLCOMB Fayetteville, North Carolina	:	
BRYAN PARSONS Charleston, North Carolina	:	
VIRGINIA PARSONS Charleston, North Carolina	:	
EDWIN PARSONS Charleston, North Carolina	:	
GERTRUDE CLARK Charleston, North Carolina	:	
MILDRED COX 41 Murray Hill Circle Baltimore, Md. 21212	:	
CARLTON WALKER 646 East Dorado Drive Woodland, California 95695	:	
CLARENCE WALKER 7 Wier Avenue Hill Crest Wilmington, Delaware	:	
ESTHER GIBSON Methodist Country House 4830 Kennett Pike Wilmington, Delaware	:	
CHARLES PARKER Wingate, Wisconsin	:	
MILLIE PARKER Wingate, Wisconsin	:	
CATHERINE PUSEY Ocean View, Delaware	:	
The Unknown Heirs, Devisees, and Personal Representatives of Sampson Parsons, and their or any of their heirs, devisees, executors, administrators, grantees, assigns or successors in right, title and interest or any other Person or Corporation having an interest in the real estate described herein Addresses unknown	:	

The Unknown Heirs, Devisees, and :
Personal Representatives of
Gertrude Parsons Walker, and their :
or any of their heirs, devisees,
executors, administrators, :
grantees, assigns or successors
in right, title and interest or :
any other Person or Corporation
having an interest in the real :
estate described herein
Addresses unknown :

The Unknown Heirs, Devisees, and :
Personal Representatives of
Elizabeth Parsons Wimbrow, and :
their or any of their heirs,
devisees, executors, :
administrators, grantees,
assigns or successors in right, :
title and interest or any other
Person or Corporation having :
an interest in the real estate
described herein :
Addresses unknown
:
The Unknown Heirs, Devisees, and
Personal Representatives of :
Hannah Parsons, and their or any
of their heirs, devisees, executors, :
administrators, grantees, assigns,
or successors in right, title and :
interest or any other Person or
Corporation having an interest :
in the real estate described
herein :
Addresses unknown
:
The Unknown Heirs, Devisees, and
Personal Representatives of :
Marion Parsons, and their or any
of their heirs, devisees, executors, :
administrators, grantees, assigns
or successors in right, title and :
interest or any other Person or
Corporation having an interest :
in the real estate described herein
Addresses unknown :

The Unknown Heirs, Devisees, and :
Personal Representatives of
John H. Parsons, and their or any :
of their heirs, devisees, executors,
administrators, grantees, assigns :
or successors in right, title and
interest or any other Person or :
Corporation having an interest in
the real estate described herein :
Addresses unknown
:
RESPONDENTS
: BOOK 048 PAGE 763

::::::::::::::::::::

ORDER OF PUBLICATION

ORDERED by the Circuit Court for Somerset County, State of Maryland: The Respondents George Earl Parsons, Emily Northam, Anne Holcomb, Bryan Parsons, Virginia Parsons, Edwin Parsons,

Gertrude Clark, Mildred Cox, Carlton Walker, Clarence Walker, Esther Gibson, Charles Parker, Millie Parker, Catherine Pusey, the unknown heirs of Sampson Parsons, the unknown heirs of Gertrude Parsons Walker, the unknown heirs of Elizabeth Parsons Wimbrow, the unknown heirs of Hannah Parsons, the unknown heirs of Marion Parsons, and the unknown heirs of John H. Parsons; are hereby notified that Complainant, Gertrude Howard, has filed a Bill of Complaint for Sale of Land in Lieu of Partition.

The object of this suit is to procure a decree for the sale of certain real estate of which a certain John H. Parsons died seized and possessed; said real estate being described as follows:

ALL those lots or parcels of land owned by the said John H. Parsons, of which he died seized and possessed, said parcels of land being located in Lawsons Election District, Somerset County, State of Maryland and being more particularly described as follows:

Parcel No. 1 - All that lot or parcel of land situate as aforesaid and described on the Tax Records of the Department of Assessments and Taxation as Map No. 65, Block 21, Parcel 261, on the east side of the County road leading from Phoenix Church to Crisfield, containing two (2) acres of land, more or less, and being the same and all that land conveyed unto John H. Parsons by deed dated May 23, 1925 and recorded among the Land Records of Somerset County, State of Maryland in Liber No. 91, folio 594 et seq.

Parcel No. 2 - All that lot or parcel of land situate as aforesaid and described on the Tax Records of the Department of Assessments and Taxation as Map No. 65, Block 21, Parcel 262, and being described in the following deed as "on the northerly side of the County road leading from Parsonsville to St. Pauls Protestant Episcopal Church , containing six acres of land, more or less, bounded on the North by the land of Charles E. Matthews, on the East by the land of the heirs of Clarence L. Gunby, on the South by the land of Clara M. Hodson, and on the West by the aforesaid County road" and being the same and all that land conveyed unto John H. Parsons by deed dated September 2, 1924 and recorded among the aforesaid Land Records in Liber W.J.S. No. 91, folio 190 et seq.

Parcel No. 3 - All that lot or parcel of land situate as aforesaid and described on the Tax Records of the Department of Assessments and Taxation as Map No. 65, Block 9, Parcel 209, and being located on the north side of the Holland's Crossing Road and containing one acre of land, more or less, and being the same and all that land conveyed unto the said John H. Parsons from Minnie M. Anderson et al. dated May 4, 1925 and recorded among the aforesaid Land Records in Liber W.J.S. No. 91, folio 556 et seq.

Parcel No. 4 - All that lot or parcel of land situate as aforesaid and described on the Tax Records of the Department of Assessments and Taxation as Map No. 65, Block 21, Parcel 263, and being more particularly described as in the following deed as "A piece or parcel of land with all the rights and privileges to water ways, that they themselves enjoy also an outlet to the County Road over a Twelve foot road, said piece or parcel of land is situated, lying and being in Lawsons District, Somerset County, State of Maryland, on the Northwest side of County road running

from Samuel Sterling's residence to St. Pauls Church and adjoining the lands of the said Caroline Darby, Mary Sterling, and Levin H. Betts and running thence West one hundred yards, more or less, by and with the lands of Caroline Darby and to the centre of a ditch to Mary Sterling's land, and thence North 175 yards, more or less, by and with Mary Sterling's land and the centre of a ditch to Caroline Darby's land, thence East 47 yards, more or less, by and with Caroline Darby's land, and centre of ditch to White Oak boundary, thence South 35 yards more or less by and with ditch to cedar post, thence East 50 yards, more or less, by and with ditch to stone boundary, thence South 60 yards, more or less, by and with ditch to a post and stone, thence West 50 yards, more or less, by and with the lands of Levin H. Betts and centre of ditch to post, thence 45 yards, more or less, by and with the lands of Levin H. Betts and centre of ditch to place of beginning, the said piece or parcel of land, containing 3 acres, more or less," and being the same and all that land conveyed unto the said John H. Parsons by deed dated April 10, 1909 and recorded among the aforesaid Land Records in Liber S.F.D. No. 50, folio 531 et seq.

Parcel No. 5 - All those lots or parcels of land situate as aforesaid and described on the Tax Records of the Department of Assessments and Taxation as Map No. 65, Block 21, Parcel 260, located on the West side of the County Road known as Phoenix Church Road and containing 33 acres, more or less, and being the same and all those parcels of land conveyed unto the said John H. Parsons by the following deeds:

(1) A deed dated April 7, 1902 from Elisha S. Parsons and wife and recorded among the aforesaid Land Records in Liber O.T.B. No. 33, folio 52 et seq.

(2) A deed dated April 7, 1902 from Cornelia J. Lankford and recorded among the aforesaid Land Records in Liber O.T.B. No. 33, folio 53 et seq.

(3) A deed dated March 9, 1906 from Paul L. Gunby and wife and recorded among the aforesaid Land Records in Liber O.T.B. No. 43, folio 66 et seq.

(4) A deed dated March 11, 1905 from Mary J. Whittington and others and recorded among the aforesaid Land Records in Liber O.T.B. No. 40, folio 289 et seq.

Parcel No. 6 - All those lots or parcels of land situate as aforesaid and being more particularly described as follows: All those lots or parcels of land which are laid down and described as Lots Nos. 1, 2, 3 and 9 of Block E; Lots Nos. 1, 2, 3, 4, 19, 20, 21 and 22 of Block D; Lots Nos. 1, 2, 3, 4, 26, 27, 28 and 29 of Block C; Lots Nos. 1, 2, 3, 4, 27, 28, 29 and 30 of Block B and Lots Nos. 1, 2, 3, 4, 27, 28, 29 and 30 of Block A, on a plat made by Levin H. Hall, Surveyor, and filed with, and as a part of a deed from Luther T. Miles and Flonnie H. Miles, his wife, to John H. Parsons and Aden Davis, Jr., dated November 23, 1916, and recorded among the Land Records of Somerset County, Maryland in Liber W.J.S. No. 71, folio 351 et seq; The said interest of John H. Parsons being an undivided 6/14 interest and estate in the aforegoing several lots; and being part only of all those lots and parcels of land conveyed unto John H. Parsons by the aforesaid deed.

The bill recites that the said John H. Parsons died seized and possessed of the aforesaid real estate intestate, leaving the aforesaid Complainant and Respondents as his heirs at law; that the said real estate is not susceptible of partition without material loss and injury to the parties entitled to interest therein and that an appraiser be appointed to make a recent appraisal, and that said property be sold at public sale.

It is therefore this 16th day of September, 1982, ORDERED by the Circuit Court for Somerset County, State of Maryland, sitting in Equity, that the Complainant, by causing a copy of this Order to be inserted in some newspaper published in the said Somerset County, State of Maryland, once a week, for three (3) successive weeks, before the 12th day of October, 1982, giving notice to the aforementioned absent Respondents, known or unknown of the object and substance of this Bill, warning them to appear in this Court in person or by solicitor on or before the 12th day of November, 1982, to show cause, if any they have, why a decree ought not be passed as prayed.

L. Theodore Phoebus
Clerk of the Circuit Court for
Somerset County, Maryland

Berkeley, Va
Oct. 4, 1982

Clerk of Somerset County Court
Court House, Princess Anne, Md
Reference: Chancery Case No. 11,372

Dear Sir,

In response to the document received from the office of R. Scott Dorsey Esquire, concerning Case of Gertrude Howard, Complainant vs George Earl Parsons, et al, respondents, I, Emily Northam, daughter of Sampson Parsons, answer in my defense.

As a niece and heir of John H Parsons, I claim my rightful inheritance to the property or proceeds for the sale of parcels 1 through 6 as listed in Exhibit A of the bill of Complaint for sale of land in lieu of Partition of the aforementioned case, Gertrude Howard, Complainant vs George Earl Parsons, et, al, Respondents.

I notice the following errors in the address of some of the other heirs

Copy to: R. Scott Dorsey, Esquire

Yours truly
Emily Northam

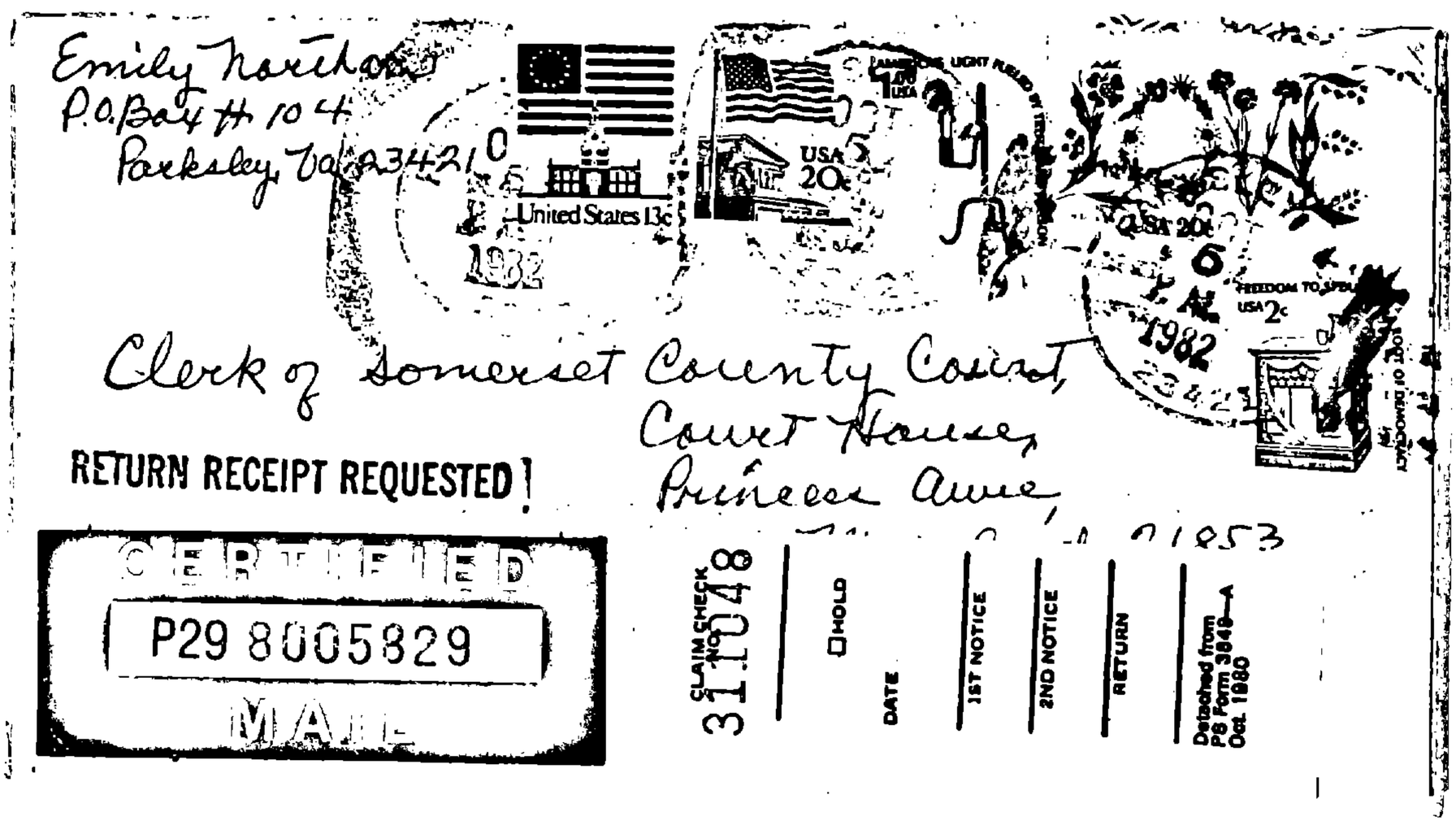
BOOK 048 PAGE 767

I notice the following errors in addresses of the heirs of Elisha Sampson Parsons as follows:

Emily Northam - correct
Anne Holcombe -
740 Smallwood Drive
Raleigh, N. Carolina 27605
Bryan Parsons -
P.O. Box 1017 Elizabethtown N. Carolina 28337
Virginia Parsons P. O. Box 456
Clarkton N. Carolina 28433
James Parsons, 631 Miller St.
Winston - Salem
N. Carolina
27103

Edwin Parsons deceased
Gertrude Clark - "
Alice Heinman "
Ada Edwards "

Copy to: R. Scott Dorn, Esquire



I. Theodore Phoebus
Clerk of the Circuit Court
Somerset County
Crisfield, Maryland

Re: Chancery Case # 11,372.

Dear Mr Phoebus:

I have no interest in the above referenced case.

J. Walker
John Carlton Walker

BOOK 048 PAGE 770

NOV 10-82 B 928547D*****10.00

GERTRUDE HOWARD	*	NO. 11372 CHANCERY
Complainant	*	IN THE CIRCUIT COURT
VS.	*	FOR SOMERSET COUNTY
GEORGE EARL PARSONS, et al	*	STATE OF MARYLAND
Respondents	*	

* * * * * * * * * * * * * * * *

DEAR MR. CLERK:

Please enter the appearance of Joshua W. Miles in the above captioned case as attorney for George Earl Parsons, one of the Respondents.

Joshua W. Miles
Attorney for George Earl
Parsons, Respondent
616 Indiann Lane
Salisbury, Maryland 21801
Tele: 301-546-5657

CERTIFICATION

I HEREBY CERTIFY that on this 4th day of November 1982, that I mailed a copy of the aforegoing Entry of Appearance to the office of WARD & DAVIS, R. Scott Davis, Attorney for the Complainant, by U.S. Regular Mail, postage prepaid.

GERTRUDE HOWARD	*	NO. 11,372 CHANCERY
Complainant	*	IN THE CIRCUIT COURT
VS.	*	FOR SOMERSET COUNTY
GEORGE EARL PARSONS, et al	*	STATE OF MARYLAND
Respondents	*	

* * * * * * * * * * * * * * * * *

ANSWER TO BILL OF COMPLAINT

FOR SALE OF LAND IN LIEU OF PARTITION

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Now Comes George Earl Parsons, one of the Respondents in the above captioned case, by his attorney, Joshua W. Miles, in Answer to the aforesaid Bill of Complaint in the above captioned case, and states as follows:

1. That the Respondent admits the allegations as set forth in Paragraphs One, Two, Three, Four, Five, Six, and Seven of said Bill of Complaint.

2. And in further answering the Respondent prays:

(a) That the Court grant the relief prayed by Gertrude Howard, the Complainant herein; and

(b) That he be granted such other and further relief as the nature of his cause may require.

George Earl Parsons
George Earl Parsons

Joshua W. Miles
Joshua W. Miles, Attorney
for Respondent

BOOK 048 PAGE 772

CERTIFICATION

I HEREBY CERTIFY that on this 4th day of November, 1982, that I mailed a copy of the aforegoing Answer to Bill of Complaint For Sale of Land In Lieu Of Partition to the office of WARD & DAVIS, R. Scott Davis, Attorney for the Complainant, by U.S. Regular Mail, postage prepaid.

Joshua D. Smith

GERTRUDE HOWARD Complainant vs. GEORGE EARL PARSONS et al Respondents	: : : : : :	NO. 11372 CHANCERY IN THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND

Area Code (302) 674-4750

INDEPENDENT NEWSPAPERS INCORPORATED • P.O. BOX 7001, DOVER, DEL. 19901

County of Kent :
: s.s.
State of Delaware:

Before me, a Notary Public for the County and State aforesaid, personally appeared Jennilee Grandfield of Independent Newspapers, Inc., who deposes and swears that the notice, a copy of which is hereto attached, was published in Crisfield Times, Crisfield, MD, in its issue of 9/22/82.

Jennilee Grandfield
Independent Newspapers, Inc.

Sworn to and subscribed before me this 11th day of October, A.D. 1982.

Michele R. Theckes
Notary Public

BOOK 048 PAGE 773

NOTARY PUBLIC APPOINTED TERM 2 YEARS

Charles Parker
Wingate, Wisconsin

Millie Parker
Wingate, Wisconsin

Catherine Pusey
Ocean View, Delaware

The Unknown Heirs, Devisees, and Personal Representatives of Sampson Parsons, and their or any of their heirs, devisees, executors, Administrators, grantees, assigns or successors in right, title and interest or any other Person or Corporation having an interest in the real estate described herein Addresses Unknown

The Unknown Heirs, Devisees, and Personal Representatives of Gertrude Parsons Walker, and their or any of their heirs, devisees, executors, administrators, grantees, assigns or successors in right, title and interest or any other Person or Corporation having an interest in the real estate described herein Addresses Unknown

The Unknown Heirs, Devisees, and Personal Representatives of Elizabeth Parsons Wimbrow, and their or any of their heirs, devisees, executors, administrators, grantees, assigns or successors in right, title and interest or any other Person or Corporation having an interest in the real estate described herein Addresses Unknown

The Unknown Heirs, Devisees, and Personal Representatives of Hannah Parsons, and their or any of their heirs, devisees, executors, administrators, grantees, assigns, or successors in right, title and interest or any other Person or Corporation having an interest in the real estate described herein Addresses unknown

The Unknown Heirs, Devisees, and Personal Representatives of Marion Parsons, and their or any of their heirs, devisees, executors, administrators, grantees, assigns or successors in right, title and interest or any other Person or Corporation having an interest in the real estate described herein Addresses unknown

The Unknown Heirs, Devisees, and Personal Representatives of John H. Parsons, and their or any of their heirs, devisees, executors, administrators, grantees, assigns or successors in right, title and interest or any other Person or Corporation having an interest in the real estate described herein Addresses unknown

Respondents

In the Circuit Court
For Somerset County
State Of Maryland
In Equity Chancery
No. 11,372

Order Of Publication

ORDERED by the Circuit Court for Somerset County, State of Maryland: The Respondents George Earl Parsons, Emily Northam, Anne Holcomb, Bryan Parsons, Virginia Parsons, Edwin Parsons, Gertrude Clark, Mildred Cox, Carlton Walker, Clarence Walker, Esther Gibson, Charles Parker, Millie Parker, Catherine Pusey, the unknown heirs of Sampson Parsons, the unknown heirs of Gertrude Parsons Walker, the unknown heirs of Elizabeth Parsons Wimbrow, the unknown heirs of Hannah Parsons, the unknown heirs of Marion Parsons, and the unknown heirs of John H. Parsons; are hereby notified that Complainant, Gertrude Howard, has filed a Bill of Complaint for Sale of Land in Lieu of Partition.

The object of this suit is to procure a decree for the sale of certain real estate of which a certain John H. Parsons died seized and possessed; said real estate being described as follows:

ALL those lots or parcels of land owned by the said John H. Parsons, of which he died seized and possed, said parcels of land being located in Lawsons Election District, Somerset County, State of Maryland and being more particularly described as follows:

Parcel No.1 - ALL that lot or parcel of land situate as aforesaid and described on the Tax Records of the Department of Assessments and Taxation as Map. No. 65, Block 21, Parcel 261, on the east side of the County road leading from Phoenix Church to Crisfield, containing two (2) acres of land, more or less, and being the same and all that land conveyed unto John H, Parsons by deed dated May 23, 1925 and recorded among the Land Records of Somerset County, State of Maryland in Liber No. 91, folio 594 et seq.

Parcel No. 2 - ALL that lot or parcel of land situate as aforesaid and described on the Tax Records of the Department of Assessments and Taxation as Map No. 65, Block 21, Parcel 262, and being described in the following deed as "on the northerly side of the County road leading from Parsonsville to St. Pauls Protestant Episcopal Church, containing six acres of land, more or less, bounded on the North by the land of Charles E. Matthews, on the East by the land of the heirs of Clarence L. Gunby, on the South by the land of Clara M. Hudson, and on the West by the aforesaid County road" and being the same and all that land conveyed unto John H. Parsons by deed dated September 2, 1924 and recorded among the aforesaid Land Records in Liber W.J.S. No. 91, folio 190 et seq.

Parcel No.3 - All that lot or parcel of land situate as aforesaid and described on the Tax Records of the Department of Assessments and Taxation as Map No. 65, Block 9, Parcel 209, and being located on the north side of the Holland's Crossing Road and containing one acre of land, more or less, and being the same and all that land conveyed unto the said John H. Parsons from Minnie M. Anderson et al dated May 4, 1925 and recorded among the aforesaid Land Records in Liber W.J.S. No. 91, folio 556 et seq

Parcel No. 4 - All that lot or parcel of land situate as aforesaid and described on the Tax Records of the Department of Assessments and Taxation as Map No. 65, Block 21, Parcel 263, and being more particularly descibed as in the following deed as "A piece or parcel of land with all the rights and privileges to water ways, that they themselves enjoy also an outlet to the County Road over a Twelve foot road, said piece or parcel of land is situated, lying and being in Lawsons District, Somerset County, State of Maryland, on the Northwest side of County road running from Samuel Sterling's residence to St. Pauls Church and adjoining the lands of the said Caroline Darby, Mary Sterling, and Levin H. Betts and running thence West one hundred yards, more or less, by and with the lands of Caroline Darby and to the centre of a ditch to Mary Sterling's land, and thence North 175 yards, more or less, by and with Mary Sterling's land and the centre of a ditch to Caroline Darby's land, thence East 47 yards, more or less, by and with Caroline Darby's land, and centre of ditch to White Oak boundary, thence South 35 yards more or less by and with ditch to cedar post, thence East 50 yards, more or less, by and with ditch to stone boundary, thence South 60 yards, more or less, by and with ditch to a post and stone, thence West 50 yards, more or less, by and with the lands of Levin H. Betts and centre of ditch to post, thence 45 yards, more or less, by and with the lands of Levin H. Betts and centre of ditch to place of beginning, the said piece or parcel of land, containing 3 acres, more or less," and being the same and all that land conveyed unto the said John H. Parsons by deed dated April 10, 1909 and recorded among the aforesaid Land Records in Liber S.F.D. No. 50, folio 531 et seq.

Parcel No. 5 - All those lots or parcels of land situate as aforesaid and described on the Tax Records of the Department of Assessments and Taxation as Map No. 65, Block 21, Parcel 260, located on the West side of the County Road known as Phoenix Church Road and containing 33 acres, more or less, and being the same and all those parcels of land conveyed unto the said John H. Parsons by the following deeds:

(1) A deed dated April 7, 1902 from Elisha S. Parsons and wife and recorded among the aforesaid Land Records in Liber O.T.B. No. 33, folio 52 et seq.

(2) A deed dated April 7, 1902 from Cornelia J. Lankford and recorded among the aforesaid Land Records in Liber O.T.B. No. 33, folio 53 et seq.

(3) A deed dated March 9, 1908 from Paul L. Gunby and wife and recorded among the aforesaid Land Records in Liber T.B. No. 43, folio 66 et seq.

(4) A deed dated March 11, 1905 from Mary J. Whittington and others and recorded among the aforesaid Land Records in Liber O.T.B. No. 40, folio 289 et seq.

Parcel No. 6 - All those lots or parcels of land situate as aforesaid and being more particularly described as follows: All those lots or parcels of land which are laid down and described as Lots Nos. 1,2,3, and 9 of Block E; Lots Nos. 1,2,3,4, 19,20,21 and 22 of Block D; Lots Nos. 1,2,3,4,26, 27, 28, and 29 of Block C; Lots Nos. 1,2,3,4,27,28, 29 and 30 of Block B and Lots Nos. 1,2,3,4,27,28,29 and 30 of Block A, on a plat made by Levin H. Hall, Surveyor, and filed with, and as a part of a deed from Luter T. Miles, and Fionnie H. Miles, his wife, to John H. Parsons and Aden Davis, Jr., dated November 23, 1916, and recorded among the Land Records of Somerset County, Maryland in Liber W.J.S. No. 71, folio 351 et seq; The said interest of John H. Parsons being an undivided 6/14 interest and estate in the aforegoing several lots; and being part only of all those lots and parcels of land conveyed unto John H. Parsons by the aforesaid deed.

The bill recites that the said John H. Parsons died seized and possessed of the aforesaid real estate entestate, leaving the aforesaid Complainant and Respondents as his heirs at law; that the said real estate is not susceptible of partition without material loss and injury to the parties entitled to interest therein and that an appraiser be appointed to make a recent appraisal, and that said property be sold at public sale.

It is therefore this 16 day of September, 1982, ORDERED by the Circuit Court for Somerset County, State of Maryland, sitting in Equity, that the Complainant, by causing a copy of this Order to be inserted in some newspaper published in the said Somerset County, State of Maryland, once a week, for three (3) successive weeks, before the 12th day of October, 1982, giving notice to the aforementioned absent Respondents, known or unknown of the object and substance of this Bill, warning them to appear in this Court in persons or by solicitor on or before the 12th day of November, 1982, to show cause, if any they have, why a decree ought not be passed as prayed.

I. Theodore Phoebus
Clerk of the Circuit Court
For Somerset County
Maryland
True Copy, Text
I. Theodore Phoebus
Clerk

9-22-3t

Ward and Davis Esq
P.O. Box 647
Crisfield, Md. 21817

Gertrude Howard
Crisfield, Maryland 218

Complainant
VS
George Earl Parsons
3433 South Leisure Wor
Blvd.
Silver Spring, Md. 209

Emily Northam
Parksley, Virginia

Anne Holcomb
Fayetteville, North
Carolina

Bryan Parsons
Charleston, North
Carolina

Virginia Parsons
Charleston, North
Carolina

Edwin Parsons
Charleston, North
Carolina

Gertrude Clark
Charleston, North
Carolina

Mildred Cox
41 Murray Hill Circle
Baltimore, Md. 21212

Carlton Walker
646 East Dorado Driv
Woodland, California
95695

Clarence Walker
7 Wier Avenue
Hill Crest
Wilmington, Delaware

Esther Gibson
Methodist Country
House
4830 Kennett Pike
Wilmington, Delaware

BOOK 048 PAGE 774

GERTRUDE HOWARD	:	NO. 11,372 CHANCERY
Complainant	:	
vs.	:	IN THE CIRCUIT COURT FOR
GEORGE EARL PARSONS et al	:	SOMERSET COUNTY, MARYLAND
Respondents	:	

: : : : : : : :

PETITION FOR DECREE PRO CONFESSO

The Petition of Gertrude Howard, by R. Scott Davis and Wade D. Ward, Ward & Davis, her attorneys, respectfully show:

1. That your Petitioner has heretofore filed in this cause a Bill of Complaint for Sale of Land in Lieu of Partition to certain property in Somerset County, Maryland.

2. That one of the Respondents, George Earl Parsons filed an answer by his attorney, Joshua Miles.

3. That although all the other Respondents have been notified and the unknown heirs, devisees or personal representatives have been notified by registered mail or by Order of Publication and the time allowed for the said Respondents or the unknown heirs, devisees or personal representatives to file an answer to said Bill of Complaint has expired and no answer has been filed and no appearance has been made or entered by the other said Respondents or on their behalf.

WHEREFORE, Petitioner prays this Honorable Court that the allegations of the Bill of Complaint be taken pro confesso against the Respondents.

R. Scott Davis
Ward & Davis

Wade D. Ward
Ward & Davis

Attorneys for Complainant

BOOK 048 PAGE 776

GERTRUDE HOWARD	:	NO. 11, 372 CHANCERY
Complainant	:	IN THE CIRCUIT COURT FOR
vs.	:	
GEORGE EARL PARSONS et al	:	SOMERSET COUNTY, MARYLAND
Respondents	:	

: : : : : : :

ORDER OF COURT

THE AFOREGOING PETITION having been read and considered, and it appearing that the Respondents, Emily Northam, Anne Holcomb, Bryan Parsons, Virginia Parsons, Edwin Parsons, Gertrude Clark, Mildred Cox, Carlton Walker, Clarence Walker, Esther Gibson, Charles Parker, Millie Parker, Catherine Pusey, and the Unknown Heirs, Devisees or Personal Representatives of Sampson Parsons, the Unknown Heirs, Devisees or Personal Representatives of Gertrude Parsons Walker, the Unknown Heirs, Devisees or Personal Representatives of Elizabeth Parsons Wimbrow, the Unknown Heirs, Devisees or Personal Representatives of Hannah Parsons, the Unknown Heirs, Devisees or Personal Representatives of Marion Parsons, and the Unknown Heirs, Devisees or Personal Representatives of John H. Parsons and the Unknown Heirs, Devisees or Personal Representatives of the above Respondents have been duly served or notified, and that although the time limited by law for their appearance and answer has expired, no such appearance or answer has been filed or made on their behalf, it is, thereupon, this 29th day of Nov., 1982, ORDERED by the Circuit Court for Somerset County, Maryland, that the Bill of Complaint for Sale of Land in Lieu of Partition filed in this cause be, and the same is, hereby taken pro confesso against the Respondents.

Lloyd L. Simpkins
Judge

Gertrude Howard	:	No. 11,372 Chancery Case
vs.	:	In the Circuit Court for
George Earl Parsons, et al	:	Somerset County
	:	State of Maryland
	:	DATE: November 29, 1982
	:	
	:	
	:	

NOTICE OF JUDGMENT BY DEFAULT

OR

DECREE PRO CONFESSO

TO: Emily Northam

Parksley, Virginia

In accordance with Maryland Rules of Procedure, you are notified that a ~~judgment by default/summary judgment~~/decree pro confesso/ ~~summary decree~~ was entered against you in the above entitled case on November 29, 1982.

If you wish to take exception to this ~~Judgment~~/Decree/~~by default~~, you have thirty days from the date of the ~~Judgment~~/Decree within which to do so.

I. Theodore Phoebus
Clerk of the Circuit Court for
Somerset County, Maryland

BOOK 048 PAGE 778

Gertrude Howard	:	No. 11,372 Chancery Case
vs.	:	In the Circuit Court for
George Earl Parsons, et al	:	Somerset County
	:	State of Maryland
	:	DATE: November 29, 1982
	:	
	:	
	:	

NOTICE OF JUDGMENT BY DEFAULT

OR

DECREE PRO CONFESSO

TO: Mildred Cox
41 Murray Hill Circle
Baltimore, Md 21212

In accordance with Maryland Rules of Procedure, you are notified that a ~~judgment by default/summary judgment~~/decree pro confesso/ ~~summary decree~~ was entered against you in the above entitled case on November 29, 1982.

If you wish to take exception to this ~~Judgment~~/Decree/~~by default~~, you have thirty days from the date of the ~~Judgment~~/Decree within which to do so.

I. Theodore Phoebus
Clerk of the Circuit Court for
Somerset County, Maryland

Gertrude Howard	:	No. 11,372 Chancery Case
vs.	:	In the Circuit Court for
George Earl Parsons, et al	:	Somerset County
	:	State of Maryland
	:	DATE: November 29, 1982
	:	
	:	
	:	

NOTICE OF JUDGMENT BY DEFAULT

OR

DECREE PRO CONFESSO

TO: Carlton Walker
646 East Dorado Drive
Woodland, California 95695

In accordance with Maryland Rules of Procedure, you are notified that a ~~judgment by default/summary judgment~~/decree pro confesso/ ~~summary decree~~ was entered against you in the above entitled case on November 29, 1982.

If you wish to take exception to this ~~Judgment~~/Decree/~~by default~~, you have thirty days from the date of the ~~Judgment~~/Decree within which to do so.

I. Theodore Phoebus
Clerk of the Circuit Court for
Somerset County, Maryland

BOOK 048 PAGE 779

BOOK 048 PAGE 780

Gertrude Howard	:	No. 11,372 Chancery Case
vs.	:	In the Circuit Court for
George Earl Parsons, et al	:	Somerset County
	:	State of Maryland
	:	DATE: November 29, 1982
	:	
	:	
	:	

NOTICE OF JUDGMENT BY DEFAULT

OR

DECREE PRO CONFESSO

TO: Clarence Walker
7 Wier Avenue
Hill Crest
Wilmington, Delaware

In accordance with Maryland Rules of Procedure, you are notified that a ~~judgment by default/summary judgment~~/decree pro confesso/ ~~summary decree~~ was entered against you in the above entitled case on November 29, 1982.

If you wish to take exception to this ~~Judgment~~/Decree/~~by default~~, you have thirty days from the date of the ~~Judgment~~/Decree within which to do so.

I. Theodore Phoebus
Clerk of the Circuit Court for
Somerset County, Maryland

Gertrude Howard	:	No. 11,372 Chancery Case
vs.	:	In the Circuit Court for
George Earl Parsons, et al	:	Somerset County
	:	State of Maryland
	:	DATE: November 29, 1982
	:	
	:	
	:	

NOTICE OF JUDGMENT BY DEFAULT

OR

DECREE PRO CONFESSO

TO: Esther Gibson
Methodist Country House
4830 Kennett Pike
Wilmington, Delaware

In accordance with Maryland Rules of Procedure, you are notified that a ~~judgment by default/summary judgment~~/decree pro confesso/ ~~summary decree~~ was entered against you in the above entitled case on November 29, 1982.

If you wish to take exception to this ~~Judgment~~/Decree/~~by default~~, you have thirty days from the date of the ~~Judgment~~/Decree within which to do so.

I. Theodore Phoebus
Clerk of the Circuit Court for
Somerset County, Maryland

Gertrude Howard : No. 11,372 Chancery Case

vs. : In the Circuit Court for

George Earl Parsons, et al : Somerset County

: State of Maryland

: DATE: November 29, 1982

BOOK 048 PAGE 782

NOTICE OF JUDGMENT BY DEFAULT

OR

DECREE PRO CONFESSO

TO: Catherine Pusey

Ocean View, Delaware

In accordance with Maryland Rules of Procedure, you are notified that a ~~judgment by default/summary judgment~~/decree pro confesso/ ~~summary decree~~ was entered against you in the above entitled case on November 29, 1982.

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I. Theodore Phoebus

I. Theodore Phoebus
Clerk of the Circuit Court for
Somerset County, Maryland

Gertrude Howard	:	No. 11,372 Chancery Case
vs.	:	In the Circuit Court for
George Earl Parsons, et al	:	Somerset County
	:	State of Maryland
	:	DATE: November 29, 1982
	:	
	:	
	:	

NOTICE OF JUDGMENT BY DEFAULT

OR

DECREE PRO CONFESSO

TO: Millie Parker

Wingate, Wisconsin

In accordance with Maryland Rules of Procedure, you are notified that a ~~judgment by default/summary judgment~~/decree pro confesso/ ~~summary decree~~ was entered against you in the above entitled case on November 29, 1982.

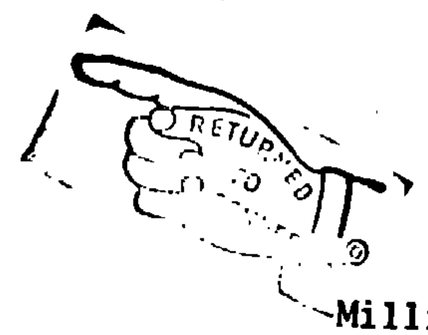
If you wish to take exception to this ~~Judgment~~/Decree/~~by default~~, you have thirty days from the date of the ~~Judgment~~/Decree within which to do so.

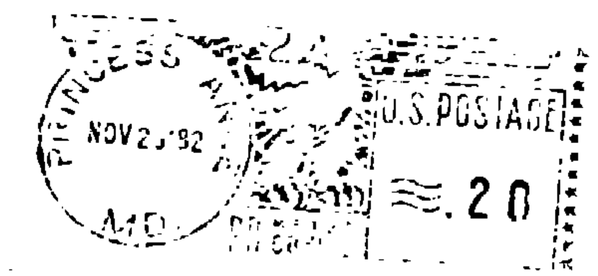
I. Theodore Phoebus
Clerk of the Circuit Court for
Somerset County, Maryland

BOOK 048 PAGE 783

TRUE COPY, TEST: I. Theodore Phoebus Clerk

I. THEODORE PHOEBUS
CLERK OF THE CIRCUIT COURT
FOR SOMERSET COUNTY
PRINCESS ANNE, MD. 21853





Millie Parker

Wingate, Wisconsin

NO SUCH OFFICE IN STATE

BOOK 048 PAGE 784

Gertrude Howard	:	No. 11,372 Chancery Case
vs.	:	In the Circuit Court for
George Earl Parsons, et al	:	Somerset County
	:	State of Maryland
	:	DATE: November 29, 1982
	:	
	:	
	:	

NOTICE OF JUDGMENT BY DEFAULT

OR

DECREE PRO CONFESSO

TO: Charles Parker

Wingate, Wisconsin

In accordance with Maryland Rules of Procedure, you are notified that a ~~judgment by default/summary judgment~~/decree pro confesso/ ~~summary decree~~ was entered against you in the above entitled case on November 29, 1982.

If you wish to take exception to this ~~Judgment~~/Decree/~~by default~~, you have thirty days from the date of the ~~Judgment~~/Decree within which to do so.

I. Theodore Phoebus
Clerk of the Circuit Court for
Somerset County, Maryland

BOOK 043 PAGE 785

TRUE COPY, TEST: I. Theodore Phoebus Clerk

Gertrude Howard : No. 11,372 Chancery Case

vs. : In the Circuit Court for

George Earl Parsons, et al : Somerset County

: State of Maryland

: DATE: November 29, 1982

:

BOOK 048 PAGE 786

:

NOTICE OF JUDGMENT BY DEFAULT

OR

DECREE PRO CONFESSO

TO: Gertrude Clark

Charleston, North Carolina

In accordance with Maryland Rules of Procedure, you are notified that a ~~judgment by default/summary judgment~~/decree pro confesso/ ~~summary decree~~ was entered against you in the above entitled case on November 29, 1982.

If you wish to take exception to this ~~Judgment~~/Decree/~~by default~~, you have thirty days from the date of the ~~Judgment~~/Decree within which to do so.

I. Theodore Phoebus

I. Theodore Phoebus
Clerk of the Circuit Court for
Somerset County, Maryland

TRUE COPY, TEST: I. Theodore Phoebus, Clk.

I. THEODORE PHOEBUS
CLERK OF THE CIRCUIT COURT
FOR SOMERSET COUNTY
PRINCESS ANNE, MD. 21853

CHARLESTON, SC 294
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ALWAYS USE
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Returned For Better Address

Gertrude Clark

Charleston, North Carolina

Returned For Better Address

BOOK 0487 PAGE 787

I. THEODORE PHOEBUS
CLERK OF THE CIRCUIT COURT
FOR SOMERSET COUNTY
PRINCESS ANNE, MD. 21853

RETURNED TO SENDER

U.S. POSTAGE
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Charles Parker
Wingate, Wisconsin

NO SUCH OFFICE IN STATE

Gertrude Howard : No. 11,372 Chancery Case

vs. : In the Circuit Court for

George Earl Parsons, et al : Somerset County

: State of Maryland

: DATE: November 29, 1982

BOOK 048 PAGE 788

NOTICE OF JUDGMENT BY DEFAULT

OR

DECREE PRO CONFESSO

TO: Virginia Parsons

Charleston, North Carolina

In accordance with Maryland Rules of Procedure, you are notified that a ~~judgment by default/summary judgment~~/decree pro confesso/ ~~summary decree~~ was entered against you in the above entitled case on November 29, 1982.

If you wish to take exception to this ~~Judgment~~/Decree/~~by default~~, you have thirty days from the date of the ~~Judgment~~/Decree within which to do so.

I. Theodore Phoebus

I. Theodore Phoebus
Clerk of the Circuit Court for
Somerset County, Maryland

TRUE COPY, TEST: I. Theodore Phoebus Clerk

I. THEODORE PHOEBUS
CLERK OF THE CIRCUIT COURT
FOR SOMERSET COUNTY
PRINCESS ANNE, MD. 21853

BOOK 048 PAGE 789

U.S. POSTAGE
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Virginia Parsons

Charleston, North Carolina

5,

Gertrude Howard	:	No. 11,372 Chancery Case
vs.	:	In the Circuit Court for
George Earl Parsons, et al	:	Somerset County
	:	State of Maryland
	:	DATE: November 29, 1982
	:	

BOOK 048 PAGE 790

NOTICE OF JUDGMENT BY DEFAULT

OR

DECREE PRO CONFESSO

TO: Anne Holcomb

Fayetteville, North Carolina

In accordance with Maryland Rules of Procedure, you are notified that a ~~judgment by default/summary judgment~~/decree pro confesso/ ~~summary decree~~ was entered against you in the above entitled case on November 29, 1982.

If you wish to take exception to this ~~Judgment~~/Decree/~~by default~~, you have thirty days from the date of the ~~Judgment~~/Decree within which to do so.

I. Theodore Phoebus
Clerk of the Circuit Court for
Somerset County, Maryland

TRUE COPY, TEST: I. Theodore Phoebus CLERK

Gertrude Howard	:	No. 11,372 Chancery Case
vs.	:	In the Circuit Court for
George Earl Parsons, et al	:	Somerset County
	:	State of Maryland
	:	DATE: November 29, 1982
	:	
	:	
	:	

NOTICE OF JUDGMENT BY DEFAULT

OR

DECREE PRO CONFESSO

TO: Edwin Parsons

Charleston, North Carolina

In accordance with Maryland Rules of Procedure, you are notified that a ~~judgment by default/summary judgment~~/decree pro confesso/ ~~summary decree~~ was entered against you in the above entitled case on November 29, 1982.

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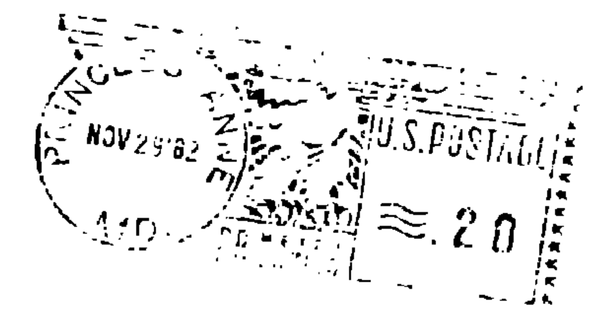
I. Theodore Phoebus
Clerk of the Circuit Court for
Somerset County, Maryland

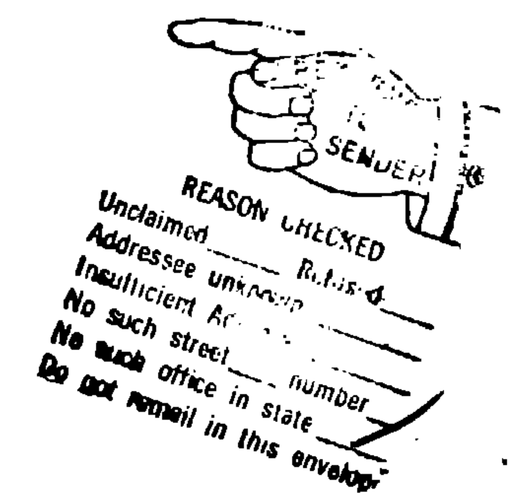
TRUE COPY, TEST: I. Theodore Phoebus, Clerk

I. THEODORE PHOEBUS
CLERK OF THE CIRCUIT COURT
FOR SOMERSET COUNTY
PRINCESS ANNE, MD. 21853

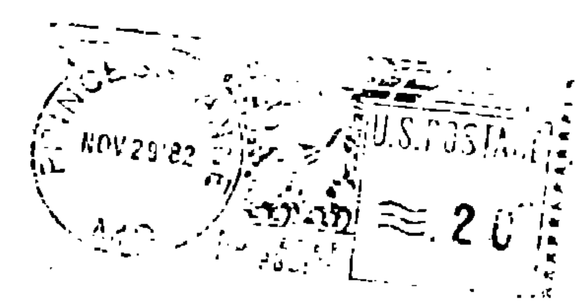


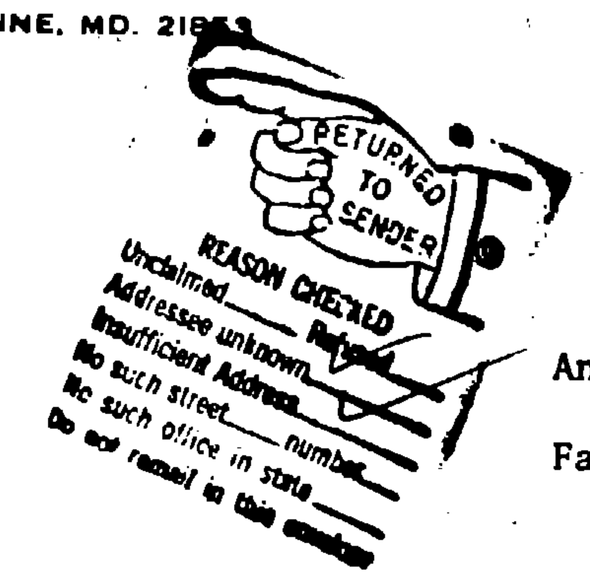
Mr. Edwin Parsons

Charles, North Carolina



I. THEODORE PHOEBUS
CLERK OF THE CIRCUIT COURT
FOR SOMERSET COUNTY
PRINCESS ANNE, MD. 21853





Anne Holcomb

Fayetteville, North Carolina

BOOK 943 PAGE 792

Case # 11,372 Chancery

Circuit Court
Somerset County
State of Maryland

December 17, 1982

Mr. Theodore P. Phoebus;

I am in receipt of your letter of November 29, 1982. I certainly wish to take exception to the legal action which has been taken against me in this case.

When my uncle Jack "Mr. John H. Parsons" died, I was not even a resident of the united States. I resided at #5 Napier Road in Singapore and I have the expired passports to prove it.

I am aware of what this suit is about and it does not concern me in any way. Since I was not one of the heirs to "Mr. John H Parsons".

I should very much appreciate it if the circuit Court of Somerset County would reverse these findings against me.

Very Truly Yours
John C Walker

BOOK 048 PAGE 798

SACRAMENTO, CA 958
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1982
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USA
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Mr. I. Theodore Phoebus - Clerk
Somerset County
Princess Anne, MD.
21853

GERTRUDE HOWARD	:	NO. 11372 CHANCERY
Complainant	:	IN THE CIRCUIT COURT
VS.		FOR SOMERSET COUNTY
GEORGE EARL PARSONS, et al	:	STATE OF MARYLAND
Respondents	:	

TESTIMONY

A Decree Pro-Confesso having been previously filed in this proceeding upon petition of the Complainant against the Respondents who have failed to appear or to answer the Bill of Complaint filed in this proceeding within the time prescribed by Rules of Court, therefore:

The following testimony was taken in the above entitled proceeding by me, William Martin, an Examiner of the Circuit Court for Somerset County, Maryland. I do hereby certify that on this 18th day of February, in the law office of Ward & Davis, Crisfield, Maryland 21817, I did take the following testimony, to wit:

GERTRUDE HOWARD, the Complainant herein, being first duly sworn, deposes and says:

Question 1 - Please state your name and address.

Ans. - My name is Gertrude Howard and I reside at Cove Street, Crisfield, Somerset County, Maryland.

Question 2 - Are you an adult?

Ans. - Yes!

Question 3 - Are you familiar with the property which is the subject of this proceeding?

Ans. - Yes. It consists of several parcels of land which are described in the Bill of Complaint that is filed in this proceeding.

Question 4 - When did John H. Parsons die?

Ans. - He died July 8, 1938.

Question 5 - By whom was John H. Parsons survived?

Ans. - He had no children, only brothers and sisters who were Anda Hitch, George Parsons, Sampson Parsons (also known as Elisha Sampson Parsons), Gertrude Parsons Walker, Elizabeth Parsons Wimbrow, Hannah Parsons and Marion Parsons. I do not know if they survived John H. Parsons or not, but they are deceased now.

Question 6 - Who are the heirs of the brothers and sisters of John H. Parsons?

Ans. - The heirs of the brothers and sisters are the individuals who are enumerated on the Bill of Complaint which is filed in this case. In addition, calls from relatives in response to the case have resulted in the following changes as far as heirs are concerned:

(1) Sampson Parsons, who is listed in 4. . of the Bill of Complaint, was also known as Elisha Sampson Parsons. He had three additional children who are Olive Parsons Hinman, Oda Parsons Edwards and James C. Parsons. Olive Parsons Hinman died in 1973 survived by four children who are Martha Hinman Davis, whose last known address is 4206 Gladstone Lane, Charlotte, North Carolina 28205; Emory Bernard Hinman, whose last known address is 1101 Salisbury Road, La Canada, California 91011; Virginia Hinman Brennan, whose last known address is 1101 Salisbury Road, La Canada, California 91011; Mrs. Winfred Hinman Howard, 4840 Selwyn Drive, Winston-Salem, North Carolina 27104. Oda Parsons Edwards died in 1922 survived by Nelson Conner Edwards whose last known address is 145 East Clay Avenue, Roselle Park, New Jersey 07204 and Manon Edwards Clay whose last known address is 25 Maplewood Drive, Jackson, New Jersey 08527. James C. Parsons is supposedly alive and living at 631 Miller Street, Winston-Salem, North Carolina 27103.

In addition, Bryan Parsons, Virginia Parsons, Edwin Parsons and Gertrude Clark are now believed to be living in Clarkton, North Carolina.

(2) Elizabeth Parsons Wimbrow as listed in 4 (e) of the Bill of Complaint was survived by Millie Parker, her daughter. Her last known address is somewhere in Wicomico County, Maryland. I do not know who her heirs are.

(3) Hannah Parsons, who is listed in 4 (f) of the Bill of Complaint. I have been told that Hannah was survived by a son, Minos J. Parsons who is deceased but was survived by Catherine Pusey whose last known address is Route 1 Box 94, Ocean View, Delaware; Hannah Hickman, whose last known address is 59 S. Turnberry Drive, Dover, Delaware 19901 and James Parsons, a son, who is deceased and who left two sons, William I. Parsons whose last known address is 5047 Jennifer Place, Orlando, Florida 32807 and J. Robert Parsons whose last known address is Bethany Beach, Delaware 19930.

(4) Marion Parsons, who is listed in 4 (g) of the Bill of Complaint. I have been informed that Marion was survived by Herbert Parsons, deceased with no children; Elva Horne, deceased with no children; Doris Hedden whose last known address is 36 Narberth Place, Leisuretown, Vincetown, New Jersey 08088; and John Jones Parsons whose last known address is 1100 Park Avenue, Collingswood, New Jersey 08100.

Question 7 - In your opinion can the property be divided in lieu of sale?

Ans. - No, there are so many people involved and such a variety of interests, many quite small. The property cannot be divided equitably given that it consists of woodland, that there is limited road frontage. The interests of all would be better served if the property were sold and the proceeds divided.

Question 8 - What relief do you seek?

Ans. - The relief that I have prayed in my Bill of Complaint.

COURT QUESTION:

Ans. Nothing further.

Gertrude Howard

William Daugherty, a witness of lawful age produced on the part of the Complainant, being first duly sworn, deposes and says:

Question 1 - Please state your name and address.

Ans. - My name is William Daugherty and I reside at Hearts Ease, Crisfield, Maryland 21817.

Question 2 - Are you an adult resident of Somerset County?

Ans. - I am.

Question 3 - Are you familiar with the property which is the subject of this proceeding?

Ans. - I am.

Question 4 - Who are the owners?

Ans. - The individuals as enumerated in the Bill of Complaint filed in this suit. However, I have no other knowledge as to the changes testified to by Mrs. Howard.

Question 5 - What is your profession?

Ans. - I am a real estate broker and building contractor.

Question 6 - What is the value of the property?

Ans. - There is arable farmland and several acres of timber plus land fronting on the county road. I would estimate a value in excess of Twenty Five Thousand Dollars ($25,000.00).

Question 7 - In your opinion, can the property be equitably divided among the owners?

Ans. - No. There are too many heirs. The lots would be too small. Some lots would have road fronting and others would not. The property should be sold and proceeds divided.

COURT QUESTION:

Ans. Nothing further.

William Daugherty

There being no further witnesses produced for examination by me, and at the request of attorneys for Complainant I hereby return the above testimony to court under my hand and seal and do hereby certify that I read over the testimony verbatim to the witnesses and thereupon they signed the same in my presence and that all requirements of the Maryland Rules of Procedure relating to such testimony have been complied with.

Given under my hand and seal this 16th day of February 1983.

William Martin (SEAL)
William Martin, Examiner

BOOK 048 PAGE 804

GERTRUDE HOWARD	:	NO. 11372 CHANCERY
Complainant	:	IN THE CIRCUIT COURT
VS.	:	FOR SOMERSET COUNTY
GEORGE EARL PARSONS, et al	:	STATE OF MARYLAND
Respondents	:	
	:	

The above cause standing ready for hearing, the proceedings therein were by the Court read and considered:

It is thereupon, this 11 day of March, 1983, by the Circuit Court for Somerset County, Maryland, in Equity, ADJUDGED, ORDERED and DECREED, that the property in the proceedings mentioned be sold, and Wade D. Ward, Joshua Miles, R. Scott Davis and Thomas S. Simpkins be and they are hereby appointed Trustees to make sale, and that the course and manner of their proceedings shall be as follows: They shall first file with the Clerk of this Court a bond to the State of Maryland, executed by said Trustees and a surety or sureties to be approved by this Court, or by the Clerk thereof, in the penalty of $25,000; conditioned for the faithful performance of the trust reposed in them by this decree, or to be reposed in them by any future decree or order in the premises, they shall then proceed to make the said sale at public auction, having given at least three weeks notice by advertisement, inserted in such newspapers published in Somerset County, Maryland as they shall think proper, of the time, place, manner and terms of sale, and soon as may be convenient after such sale or sales, the said Trustees shall return to this Court a full and particular report of their proceedings relative to such sale, with an affidavit annexed of the truth thereof, and of the fairness of said sale; and on obtaining the Court's ratification of the sale, and on the payment of the whole purchase money, the said Trustees shall, by a good and sufficient deed, to be executed, acknowledged and recorded, according to law, convey to the purchaser, or purchasers, his, her, or their heirs and assigns, the property and estate to him, her

Trustee's Sale Of Valuable Farm Land

Gertrude Howard
Complainant
vs.
George Earl Parons, et al
Respondents

—0—

In The Circuit Court
For Somerset County
Chancery No. 11,372

—0—

Under and by virtue of Power granted in the Order of the Circuit Court for Somerset County, Maryland, in Equity, No. 11372, dated March 11, 1983, the undersigned Trustees will sell the hereinafter described property on the front step of the Crisfield Post Office, Main Street, Crisfield, Maryland on or about

2:00 P.M.
Saturday
June 18, 1983

All those lots or parcels of land owned by the said John H. Parsons, of which he died seized and possessed, said parcels of land being located in Lawsons Election District, Somerset County, State of Maryland and being more particularly described as follows:

Parcel No. 1-All that lot or parcel of land situate as aforesaid and described on the Tax Records of the Department of Assessments and Taxation as Map No. 65, Block 21, Parcel 261, on the east side of the County road leading from Phoenix Church to Crisfield, containing two (2) acres of land, more or less, and being the same and all that land conveyed unto John H. Parsons by deed dated May 23, 1925 and recorded among the Land Records of Somerset County, State of Maryland in Liber No. 91, folio 594 et seq.

Parcel No. 2.-All that lot or parcel of land situate as aforesaid and described on the Tax Records of the Department of Assessments and Taxation as Map No. 65, Block 21, Parcel 262, and being described in the following deed as on the northerly side of the County road leading from Parsonsville to St. Pauls Protestant Episcopal Church, containing six acres of land, more or less, bounded on the North by the land of Charles E. Matthews, on the East by the land of the heirs of Clarence L. Gunby, on the South by the land of Clara M. Hodson, and on the West by the aforesaid County road" and being the same and all that land conveyed unto John H. Parsons by deed dated September 2, 1924 and recorded among the aforesaid Land Records in Liber W.J.S. No. 91, folio 190 et seq.

Parecl No.3-All that lot or parcel of land situate as aforesaid and described on the Tax Records of the Department of Assessments and Taxation as Map No. 65, Block 9, Parcel 209, and being located o.n the north side of the Holland's Crossing Road and containing one acre of land, more or less, and being the same and all that land convyed unto the said John H. Parsons from Minnie M. Anderson et al, dated May 4, 1925 and recorded among the aforesaid Land Records in Liber W.J.S. No. 91, folio 556 et seq.

Parcel No.4.-All that lot or parcel of land situate as aforesaid and described on the Tax Records of the Department of Assessments and Taxation as Map No. 65, Block 21, Parcel 263, and being more particularly described as in the following deed as "A piece or parcel of land with all the rights and privileges to water ways, that they themselves enjoy also an outlet to the County Road over a Twelve foot road, said piece or parcel of land is situated, lying and being in Lawsons District, Somerset County, State of Maryland, on the Northwest side of County road running from Samuel Sterling's residence to St. Pauls Church and adjoining the lands of the said Caroline Darby, Mary Sterling, and Levin H. Betts and running thence West one hundred yards, more or less, by and with the lands of Caroline Darby and to the centre of a ditch to Mary Sterling's land, and thence North 175 yards, more or less, by and with Mary Sterling's land and the centre of a ditch to Caroline Darby's land, thence East 47 yards, more or less, by and with Caroline Darby's land, and centre of ditch to White Oak boundary, thence South 35 yards more or less by and with ditch to cedar post, thence East 50 yards, more or less, by and with ditch to stone boundary, thence South 60 yards, more less, by and with ditch to a post and stone, thence West 50 yards, more or less, by and with the lands of Levin H. Betts and centre of ditch to post, thence 45 yards, more or less, by and with the lands of Levin H. Betts and centre of ditch to place of beginning, the said piece or parcel of land, containing 3 acres, more or less," and being the same and all that land conveyed unto the said John H. Parsons by deed dated April 10, 1909 and recorded among the aforesaid Land Records in Liber S.F.D. No. 50, folio 531 et seq.

Parcel No. 5.-All those lots or parcels of land situate as aforesaid and described on the Tax Records of the Department of Assessments and Taxation as Map No. 65, Block 21, Parcel 260, located on the West side of the County Road known as Phoenix Church Road and containing 33 acres, more or less, and being the same and all those parcels of land conveyed unto the said John H. Parsons by the following deeds:

(1) A deed dated April 7, 1902 from Elisha S. Parsons and wife and recorded among the aforesaid Land Records in Liber O.T.B. No.33, folio 52 et seq.

(2) A deed dated April 7, 1902 from Cornelia J. Lankford and recorded among the aforesaid Land Records in Liber O.T.B. No. 33, folio 53 et seq.

(3) A deed dated March 9, 1906, from Paul L. Gunby and wife and recorded among the aforesaid Land Records in Liber O.T.B. No. 43, folio 66 et seq.

(4) A deed dated March 11, 1905 from Mary J. Whittington and others and recorded among the aforesaid Land Records in Liber O. T. B. No. 40, folio 289 et seq.

Parcel No. 6.-All those lots or parcels of land situate as aforesaid and being more particularly described as follows: All those lots or parcels of land which are laid down and described as Lots No. 1, 2, 3, and 9 of Block E; Lots No. 1, 2, 3, 4, 19, 20, 21, and 22 of Block D; Lots No. 1, 2, 3,4, 26, 27, 28, and 29 of Block C; Lots No. 1, 2, 3,4, 27, 28, 29, and 30 of Block B and Lots No. 1, 2, 3, 4, 27, 28, 29, and 30 of Block A, on a platmade by Levin H. Hall, Surveyor, and filed with, and as a part of a deed from Luther T. Miles and Flonnie H. Miles, his wife, to John H. Parsons and Aden Davis, Jr., dated November 23, 1916, and recorded among the Land Records of Somerset County, Maryland in Liber W.J.S. No. 71, folio 351 et seq; The said interest of John H. Parsons being an undivided 6/14 interest and estate in the aforegoing several lots; and being part only of all those lots and parcels of land conveyed unto John H. Parsons by the aforesaid deed.

TERMS OF SALE: Twenty per cent cash on each parcel at time of sale, balance upon final ratification of Sale; the unpaid portion of the purchase price to be secured to the satisfaction of the undersigned Trustees and to bear interest at the rate of ten (10%) per cent per annum, or all cash at the option of the purchaser(s).

Title papers, state stamps and transfer tax at the expense of the purchaser(s), taxes will be pro-rated as of the date of final ratification of the Sale.

Maryland Agriculture Development Tax if any, to be paid by purchaser(s).

Wade D. Ward, Trustee
R. Scott Davis, Trustee
Joshue W. Miles, Trustee
Thomas S. Simpkins, Trustee

5-25-4t

BOOK 048 PAGE 809

Gertrude Howard	:	NO. 11,372 Chancery
Complainant	:	In the Circuit Court for
vs.		
George Earl Parsons, et al	:	Somerset County, Maryland
Respondents	:	

The report of Wade D. Ward, R. Scott Davis, Joshua W. Miles and Thomas S. Simpkins, Trustees appointed by Order of the Circuit Court for Somerset County, Maryland dated March 11, 1983, respectfully represents that after giving bond with security approved by the Clerk of this Court, for the faithful performance of the trust so reposed in them by said Order, and having given at least three weeks notice of the time, place, manner and terms of sale by advertisement in the Crisfield Times, a weekly newspaper published in the City of Crisfield, Somerset County, Maryland, for three weeks before the date of sale, they did, pursuant to said notice, attend on the steps of the Post Office in Crisfield, Maryland, on the 18th day of June, 1983, at 2:00 o'clock P.M., and then and there proceeded to sell the property described in said advertisement, to wit:

ALL those lots or parcels of land owned by the said John H. Parsons, of which he died seized and possessed, said parcels of land being located in Lawsons Election District, Somerset County, State of Maryland and more particularly described as follows:

PARCEL I: All that lot or parcel of land situate as aforesaid and described on the Tax Records of the Department of Assessments and Taxation as Map No. 65, Block 21, Parcel 261, on the east side of the County road leading from Phoenix Church to Crisfield, containing two (2) acres of land, more or less, and being the same and all that land conveyed unto John H. Parsons by deed dated May 23, 1925 and recorded among the Land Records of Somerset County, State of Maryland in Liber No. 91, folio 594 et seq.; and sold the same to Janice Cantwell she being then and there the highest bidder therefor at and for the sum of Twenty Seven Hundred Dollars ($2,700.00) and the purchaser has complied with the terms of sale.

PARCEL II: All that lot or parcel of land situate as aforesaid and described on the Tax Records of the Department of Assessments and Taxation as Map No. 65, Block 21, Parcel 262, and being described in the following deed as on the northerly side of the County road leading from Parsonsville to St. Pauls Protestant Episcopal Church, containing six acres of land, more or less, bounded on the North by the land of Charles E. Matthews, on the East by the land of the heirs of Clarence L. Gunby, on the South by the land of Clara M. Hodson, and on the West by the aforesaid County road and being the same and all that land conveyed unto John H. Parsons by deed dated September 2, 1924 and recorded among the aforesaid Land Records in Liber W.J.S. No. 91, folio 190 et seq.; and sold the same to Janice Cantwell she being then and there the highest bidder therefor at and for the sum of Forty Three Hundred Dollars ($4,300.00) and the purchaser has complied with the terms of sale.

PARCEL III: All that lot or parcel of land situate as aforesaid and described on the Tax Records of the Department of Assessments and Taxation as Map No. 65, Block 9, Parcel 209, and being located on the north side of the Holland's Crossing Road and containing one acre of land, more or less, and being the same and all that land conveyed unto the said John H. Parsons from Minnie M. Anderson et al, dated May 4, 1925 and recorded among the aforesaid Land Records in Liber W.J.S. No. 91, folio 556 et seq.; and sold the same to Janice Jackson she being then and there the highest bidder therefor at and for the sum of Twenty Two Hundred Dollars ($2,200.00) and the purchaser has complied with the terms of sale.

PARCEL IV: All that lot or parcel of land situate as aforesaid and described on the Tax Records of the Department of Assessments and Taxation as Map No. 65, Block 21, Parcel 263, and being more particularly described as in the following deed as "A piece or parcel of land with all the rights and privileges to water ways, that they themselves enjoy also an outlet to the County Road over a Twelve foot road, said piece or parcel of land is situated, lying and being in Lawsons District, Somerset County, State of Maryland, on the Northwest side of County road running from Samuel Sterling's residence to St. Pauls Church and adjoining the lands

of the said Caroline Darby, Mary Sterling, and Levin H. Betts and running thence West one hundred yards, more or less, by and with the lands of Caroline Darby and to the centre of a ditch to Mary Sterling's land, and thence North 175 yards, more or less, by and with Mary Sterling's land and the centre of a ditch to Caroline Darby's land, thence East 47 yards, more or less, by and with Caroline Darby's land, and centre of ditch to White Oak boundary, thence South 35 yards, more or less, by and with ditch to cedar post, thence East 50 yards, more or less, by and with ditch to stone boundary, thence South 60 yards, more or less, by and with ditch to a post and stone, thence West 50 yards, more or less, by and with the lands of Levin H. Betts and centre of ditch to post, thence 45 yards, more or less, by and with the lands of Levin H. Betts and centre of ditch to place of beginning, the said piece or parcel of land, containing 3 acres, more or less," and being the same and all that land conveyed unto the said John H. Parsons by deed dated April 10, 1909 and recorded among the aforesaid Land Records in Liber S.F.D. No. 50, folio 531 et seq.; and sold the same to Mitchell Bonneville he being then and there the highest bidder therefor at and for the sum of Fourteen Hundred Dollars ($1,400.00) and the purchaser has complied with the terms of sale.

PARCEL V: All those lots or parcels of land situate as aforesaid and described on the Tax Records of the Department of Assessments and Taxation as Map No. 65, Block 21, Parcel 260, located on the West side of the County Road known as Phoenix Church Road and containing 33 acres, more or less, and being the same and all those parcels of land conveyed unto the said John H. Parsons by the following deeds:

(1) A deed dated April 7, 1902 from Elisha S. Parsons and wife and recorded among the aforesaid Land Records in Liber O.T.B. No. 33, folio 52 et seq.

(2) A deed dated April 7, 1902 from Cornelia J. Lankford and recorded among the aforesaid Land Records in Liber O.T.B. No. 33, folio 53 et seq.

(3) A deed dated March 9, 1906 from Paul L. Gunby and wife and recorded among the aforesaid Land Records in Liber O.T.B. No. 43, folio 66 et seq.

(4) A deed dated March 11, 1905 from Mary J. Whittington and others and recorded among the aforesaid Land Records in Liber O.T.B. No. 40, folio 289 et seq.;

and sold the same to Robert Sterling he being then and there the highest bidder therefor at and for the sum of Thirty Thousand Dollars ($30,000.00) and the purchaser has complied with the terms of sale.

PARCEL VI: All those lots or parcels of land situate as aforesaid and being more particularly described as follows: All those lots or parcels of land which are laid down and described as Lots No. 1, 2, 3 and 9 of Block E; Lots No. 1, 2, 3, 4, 19, 20, 21, and 22 of Block D; Lots No. 1, 2, 3, 4, 26, 27, 28 and 29 of Block C; Lots No. 1, 2, 3, 4, 27, 28, 29 and 30 of Block B and Lots No. 1, 2, 3, 4, 27, 28, 29 and 30 of Block A on a plat made by Levin H. Hall, Surveyor and filed with, and as a part of a deed from Luther T. Miles and Flonnie H. Miles, his wife, to John H. Parsons and Aden Davis, Jr., dated November 23, 1916, and recorded among the Land Records of Somerset County, Maryland in Liber W.J.S. No. 71, folio 351 et seq.; The said interest of John H. Parsons being an undivided 6/14 interest and estate in the aforegoing several lots; and being part only of all those lots and parcels of land conveyed unto John H. Parsons by the aforesaid deed; and sold the same to Larry Q. Powell he being then and there the highest bidder therefor at and for the sum of Five Hundred Dollars ($500.00) and the purchaser has complied with the terms of sale.

Respectfully submitted,

Wade D. Ward, Trustee

R. Scott Davis, Trustee

Joshua W. Miles, Trustee

Thomas S. Simpkins, Trustee

BOOK 048 PAGE 814

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY, that on this 22nd day of June, 1983, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Wade D. Ward, R. Scott Davis, Joshua W. Miles and Thomas S. Simpkins, Trustees named in the aforegoing Report of Sale, and they made oath in due form of law that the matters and facts therein stated are true and correct, and that the sale therein mentioned and reported was fairly made.

AS WITNESS my hand and Notarial Seal.

Vera O. Tyler
Notary Public

VERA O. TYLER
NOTARY

Gertrude Howard

Complainant

vs.

George Earl Parsons, et al

Respondents

No. 11,372 Chancery

In the Circuit Court for

Somerset County, Maryland

O R D E R N I S I

ORDERED this 25 day of June, 1983, by the Circuit Court for Somerset County, Maryland in Equity, that the aforegoing sale of the property mentioned in these proceedings, made and reported by Wade D. Ward, R. Scott Davis, Joshua W. Miles and Thomas S. Simpkins, Trustees, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 25 day of July, 1983; provided a copy of the Order be inserted in some newspaper published in Somerset County, Maryland once in each of three successive weeks before the 18 day of July 1983. The report states the amount of sale to be: Parcel I - $2,700.00; Parcel II - $4,300.00; Parcel III - $2,200.00; Parcel IV - $1,400.00; Parcel V - $30,000.00; and Parcel VI - $500.00.

I. Theodore Phoebus, Clerk

BOOK 048 PAGE 839

Gertrude Howard
Complainant
vs.
George Earl Parsons,
et al
Respondents
No. 11,372 Chancery
In the Circuit Court
For Somerset County
Maryland

Order Nisi

ORDERED this 23rd day of June, 1983, by the Circuit Court for Somerset County, Maryland in Equity, that the aforegoing sale of the property mentioned in these proceedings, made and reported by Wade D. Ward, R. Scott Davis, Joshua W. Miles and Thomas S. Simpkins, Trustees, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 25 day of July, 1983; provided a copy of the Order be inserted in some newspaper published in Somerset County, Maryland once in each of three successive weeks before the 18th day of July, 1983. The report states the amount of sale to be: Parcel I-$2,700.00; Parcel II-$4,300.00; Parcel III$2,200.00; Parcel IV-$1,400.00; Parcel V-$30,000.00; and Parcel VI-$500.00.

L Theodore Phoebus,
Clerk

True Copy, Test:
L Theodore Phoebus,
Clerk

6-29-3t

CRISFIELD, MD. 8-12- 1983

THIS is to certify that the annexed Order Nisi has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Order Nisi for 3 weeks beginning with the issue of June 29, 19 83 and ending July 13, 19 83.

William A. Martin Jr.
Publisher, THE CRISFIELD TIMES

Gertrude Howard	No. 11,372 Chancery
Complainant	In the Circuit Court
vs.	for Somerset County,
George Earl Parsons, et al	State of Maryland
Respondents	

ORDERED by the Circuit Court for Somerset County, in Equity, this 8th day of September, in the year nineteen hundred and eighty-three, that the sale of the real estate mentioned in these proceedings made and reported by Wade D. Ward, R. Scott Davis, Joshua W. Miles and Thomas S. Simpkins, Trustees, be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown although due notice appears to have been given as required by the Order Nisi passed in said cause.

Richard M. Pollitt
Judge

GERTRUDE HOWARD

COMPLAINANT

VS.

GEORGE EARL PARSONS, ET AL

RESPONDENTS

IN THE CIRCUIT COURT

FOR SOMERSET COUNTY

STATE OF MARYLAND

CHANCERY NO. 11,372

PETITION FOR INCREASE IN TRUSTEES' COMMISSION

To the Honorable, the Judges of said Court:

Now comes two of the Trustees in the above case, Wade D. Ward and R. Scott Davis, and petition this Honorable Court as follows:

1. That the property was sold in the above proceedings for the total sum of $41,100.00 with interest of $860.00 and rent of $400.00 for a total of $42,360.00.

2. That normal commissions on said sale are $2,268.00.

3. That your said Trustees were put to unusual time and expense in that the property consisted of numerous parcels of property and with no indication as to the origin of the property or the location of said property.

4. That your Trustees worked fifty-six (56) man hours in discovering, locating and establishing chains of title for said property owned by the late John H. Parsons.

5. That without the aforesaid processes there was no practical way to sell the property because all of the property had not been located and there was no way to describe said property because of lack of deed references.

6. That your Trustees believe that $1,200.00 is reasonable compensation for the aforesaid additional work.

7. That the other Trustees in this proceeding, namely Joshua W. Miles and Thomas Simpkins, are aware of the additional work and have indicated no objection to this Petition.

WHEREFORE, your Trustees pray that this Honorable Court pass an Order increasing the standard Trustee's Commission by the sum of $1,200.00.

Wade D. Ward
P.O. Box 647
Crisfield, Maryland 21817
301-968-1100

R. Scott Davis
P.O. Box 647
Crisfield, Maryland 21817
301-968-1100

BOOK 048 PAGE 820

GERTRUDE HOWARD

COMPLAINANT

VS.

GEORGE EARL PARSONS, ET AL

RESPONDENTS

IN THE CIRCUIT COURT

FOR SOMERSET COUNTY

STATE OF MARYLAND

CHANCERY NO. 11,372

ORDER

UPON CONSIDERATION of the aforegoing Petition, it is hereby ordered by the Circuit Court for Somerset County, Maryland, this 7th day of February, 1984, that the standard Trustees' Commmission be increased by the sum of Twelve Hundred Dollars ($1,200.00).

Richard M. Pollitt

Judge

	*	
Gertrude Howard	*	IN THE CIRCUIT COURT
Complainant	*	FOR SOMERSET COUNTY
vs.	*	STATE OF MARYLAND
George Earl Parsons, et al	*	CASE NO. 11,372
Respondents	*	
	*	

FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he made an examination of the proceedings in the above entitled cause and from them and the list of expenses furnished him therein, states the following Account:

Amount of Sale		$41,100.00
Interest		860.00
Rent		400.00
		$42,360.00
Fees, Costs, Expenses, etc.:		
Register of Wills	$ 409.45	
Crisfield Times	748.88	
Postmaster	46.55	
Daily Times	160.38	
L.Q. Powell	500.00	
Phillip W. Tawes, Bond	100.00	
Philip Mahan, Treasurer	58.66	
Trustee's Commission	3,468.00	
Auctioneer	150.00	
Auditor	130.00	
I. Theodore Phoebus, Clerk	386.00	
Total Fees, Costs, Expenses, etc.		6,157.92
Balance to be Distributed		$36,202.08
Distribution:		
1. Gertrude Parsons Walker Heirs		
a. Mildred Cox	1,292.93	
b. Esther Gibson	1,292.93	
c. Clarence Walker	1,292.93	
d. Carlton Walker	1,292.93	
	$5,171.72	
2. Anda Hitch Heir		
a. Gertrude Howard	$5,171.73	
3. Marion Parsons Heirs		
a. Dorris Hedden	2,585.86	
b. John Jones Parsons	2,585.86	
	$5171.72	

LOGAN C. WIDDOWSON
ATTORNEY AT LAW
NORTH SOMERSET AVENUE
PRINCESS ANNE, MD. 21853
651-3800

4. Elizabeth Parsons Wimbrow Heirs

a.	Millie Parker	2,585.87
b.	Charles Parker	2,585.87
		$5,171.74

5. George Parsons Heirs

a.	George Earl Parsons	$5,171.73

6. Hannah Parsons Heirs

a. Minos J. Parsons, Deceased Heirs

1.	Catherine Parsons Pusey	$1,723.91
2.	Hannah Parsons Hickman	1,723.91

b. James Parsons, Deceased Heirs

1.	William I. Parsons	861.95
2.	J. Robert Parsons	861.95
		$5,171.72

7. Elisha Sampson Parsons Heirs

a.	Emily Northam	574.64
b	Anne P. Holcomb	574.63
c.	Virginia Parsons	574.64
d.	Gertrude Clarke	574.63
e.	Oda Parsons Edwards, Deceased Heirs	
1.	Nelson Conner Edwards	287.32
2.	Manon Clay Edwards	287.32
f.	Olive Parsons Hinman, Deceased Heirs	
1.	Martha Hinman Davis	143.66
2.	Virginia Hinman Brennan	143.65
3.	Mrs. Winfred Hinman Howard	143.66
4.	Emory Bernard Hinman	143.65
g.	Brian Parsons	574.64
h.	Edwin Parsons	574.64
i.	James C. Parsons	574.64
		$5,171.72

Total Distribution	$36,202.08
Balance	-0-

ALL EXCEPTIONS to said report must be filed within fifteen days of the date of filing, if no exceptions are filed, the account may be ratified.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing on the date of the filing of the Audit notice of this report to the following parties by regular U.S. mail:

LOGAN C. WIDDOWSON
ATTORNEY AT LAW
NORTH SOMERSET AVENUE
PRINCESS ANNE, MD. 21853
651-3600

Ward & Davis
Attorneys-at-Law
P.O. Box 647
Crisfield, MD 21817

Mildred Cox
41 Murray Hill Circle
Baltimore, MD 21212

Esther Gibson
Methodist Country House
4830 Kennett Pike
Wilmington, DE

Clarence Walker
7 Wier Avenue
Hill Crest
Wilmington, DE

Carlton Walker
646 E. Dorado Drive
Woodland, CA 95695

Gertrude Howard
Cove Street
Crisfield, MD 21817

Dorris Hedden
36 Narberth Place
Leisuretown
Vincetown, NJ 08088

John Jones
1100 Park Avenue
Collingswood, NJ 08100

Millie Parker
Wingate, Wisconsin

Charles Parker
Wingate, Wisconsin

George Earl Parsons
616 Indian Lane
Salisbury, MD 21801

Catherine Parsons Pusey
Rt. 1, Box 94
Oceanview, DE 19970

Hannah Parsons Hickman
59 South Turnberry Drive
Dover, DE 19901

William I. Parsons
5047 Jennifer Place
Orlando, FL 32807

J. Robert Parsons
Bethany Beach, DE 19930

Emily Northam
P.O. Box 104
Parksley, VA 23421

Anne P. Holcomb
740 Smallwood Drive
Raleigh, NC 27605

Virginia Parsons
P.O. Box 456
Clarkton, NC 28433

Gertrude Clarke
Clarkton, NC 28433

Nelson Conner Edwards
145 E. Clay Avenue
Roselle Park, NJ 07204

Mannon Clay Edwards
25 Maplewood Drive
Jackson, NJ 08527

Martha Hinman Davis
4206 Gladstone Lane
Charlotte, NC 28205

Virginia Hinman Brennan
101 Salisbury Road
LaCanda, CA 91011

Mrs. Winfred Hinman Howard
4840 Selwyn Drive
Winston-Salem, NC 27104

Emory Bernard Hinman
1101 Salisbury Road
LaCanda, CA 91011

Brian Parsons
P.O. Box 1017
Elizabethtown, NC 28337

Edwin Parsons
Clarkton, NC 28433

James C. Parsons
631 Miller Street
Winston-Salem, NC 27103

Logan C. Widdowson, Auditor

Date of Filing: March 7, 1984

LOGAN C. WIDDOWSON
ATTORNEY AT LAW
NORTH SOMERSET AVENUE
PRINCESS ANNE, MD. 21853
651-3800

LCW/gjb
3/7/84
84 # 145

BOOK 048 PAGE 824

No. 11,372 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 7th day of March, 19 84 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the 22nd day of March, 19 84.

H. Theodore Phoebus
CLERK

No exceptions having been filed, and no cause to the contrary having been shown, IT IS ORDERED by the Circuit Court for Somerset County, in Equity, this 23rd day of March, 19 84 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

H. Theodore Phoebus
CLERK

LOGAN C. WIDDOWSON
ATTORNEY AT LAW

ASSOCIATES
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.

NORTH SOMERSET AVENUE
PRINCESS ANNE, MD. 21853
TELEPHONE: 651-3600

March 21, 1984

G. Bryan Parsons
Advertising Suppliers, Inc.
Post Office Box 1017
Elizabethtown, NC 28337

Re: Gertrude Howard vs.
George Earl Parsons, et al

Dear Mr. Parsons:

I acknowledge receipt of your letter dated March 10, 1984 with regards to the audit which I prepared in the above-captioned matter.

Any exceptions to the audit report have to be filed with the Clerk of the Circuit Court for Somerset County and not with this office.

Therefore, I am forwarding a copy of your letter of March 10, 1984 to Mr. Phoebus (Clerk) with a copy of my letter of today's date to you.

The information which is contained in the audit report is the information that was filed in the Circuit Court case (No. 11,372) and is the best information available to the attorneys handling this matter.

I would suggest that perhaps you discuss this matter with Scott Davis, the Attorney representing the Plaintiff, or perhaps Thomas Simpkins or Joshua Miles, who represented some of the Respondents.

Regards,

Logan C. Widdowson, Auditor

LCW/gjb
cc: R. Scott Davis, Esquire
cc: Thomas Simpkins, Esquire
cc: Joshua Miles, Esquire
cc: I. Theodore Phoebus, Clerk of
the Circuit Court for Somerset County

ADVERTISING SUPPLIERS INC.

Tele. Area Code 919 — 862-2221

Post Office Box 1017

Elizabethtown, North Carolina

March 10, 1984

BOOK 048 PAGE 826

Messers Logan C. Widdowson
Phillip C. Widdowson
Edmund L Widdowson, Jr.

Attorneys-at-Law

Gentlemen:

As an heir in the estate of Elisha Sampson Parsons I beg to make this exception, in the case against George Earle Parsons.

Under heading number seven sub-heading H, Edwin Parsons is deceased and has been for more than 50 years. He left no heirs, no estate and no will therefore an administrator was never appointed in this case.

May I suggest that the amount of $574.64 be redivided amoung the heirs of the above mentioned E. S. Parsons.

Also I note that you have my name spelled Brian which is incorrect and should be spelled Bryan.

Your attention to this matter will be appreciated.

Very truly yours

G. Bryan Parsons

G. Bryan Parsons

Art Calendars — Gifts — Specialities — Matches — Pens — Pencils

APR 19 1984

Exd.

SEP 17-82 A 327204D*****10.00
SEP 17-82 A 327203D*****60.00

Charles H. Jones, Jr. Rt. 3, Box 191 Princess Anne, Maryland 21853	:	No. 11374 Chancery In the Circuit Court for
vs	:	Somerset County, Maryland
Robert J. Waller, his heirs and assigns, devisees, successors in interest, and all other persons unknown claiming any right, title, estate, lien or interest in the real property described in the Complaint adverse to Complainant's title thereto	:	

BILL OF COMPLAINT QUIA TIMET

To the Honorable, the Judge of said Court:

The Complainant, Charles H. Jones, Jr., by Tony Bruce of Jones & Jones, his attorneys, represents:

1. That the Complainant is the owner in fee simple of a certain tract or parcel of land in St. Peters Election District, Somerset County, Maryland, depicted on Somerset County Tax Map No. 22 in Block 3 as Parcel 110 and containing one acre, more or less.

2. That the property is assessed to Charles H. Jones who acquired same by deeds dated August 23, 1982 recorded among the Land Records of Somerset County in Liber ITP. No. 334, folio 305 et seq. from Shelly White, Iva Maddox, Madeline Polk and Your Complainant, and from Ruth Ballard recorded in Liber I.T.P. No. 334, folio 308 et seq. all of whom were the successors in interest of Charles H. Jones who never received a deed for said property from the last record owner, Robert J. Waller, which represents a claim of interest in said property adverse to Complainant. Any such claim is without any right although it be a denial or dispute of Complainant's title.

3. That the Complainant and his predecessors has had exclusive, complete, actual, open, notorious, hostile and continuous undisputed possession of said land for more than twenty years and that Complainant is now in possession of said property.

4. That there is now pending no action at law or any proceeding in equity to enforce the validity of such title, lien, encumbrance, defect or other adverse claim.

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

WHEREFORE, Complainant prays as follows:

A. That Respondent and all persons claiming under him and other persons claiming any interest in said property be required to set forth the nature of their claim to the real property described in the Bill of Complaint.

B. For a decree of this Court that the Complainant has absolute ownership and right of disposition of the property described in the Bill of Complaint.

C. For said decree to permanently enjoin Respondent and all persons claiming under them, and all other persons, from asserting any claim, estate, right, title, lien or interest in or to said property or any part thereof adverse to the Complainant's by any action at law or otherwise.

D. That a Trustee be appointed to convey good and marketable fee simple title to Complainant.

E. That the Complainant be awarded the costs of this proceeding.

May it please your Honor to grant an Order of Publication setting forth the nature and content of this Bill of Complaint and commanding all persons claiming any interest in said property be required to set forth the nature of their claim to the real estate described in the Bill of Complaint and to demand them to appear and be in this Court at some certain day to be named therein and answer the premises and abide by and perform such decree as may be passed therein.

And as in duty bound,

Charles W. Jones, Jr.
Complainant

JONES & JONES

By Tony Bruce
Tony Bruce
Attorneys for Complainant
P.O. Box 186
Princess Anne, Md. 21853
Telephone: 651-2747

Charles H. Jones, Jr.	:	No. 11374 Chancery
vs	:	In the Circuit Court for
Robert J. Waller, his heirs and assigns, devisees, successors in interest, and all other persons unknown claiming any right, title, estate, lien or interest in the real property described in the Complaint adverse to Complainant's title thereto	:	Somerset County, Maryland

PETITION TO PROCEED AGAINST RESPONDENT AS NON-RESIDENT

The Petition of your Complainant, by Jones & Jones, his solicitors, respectfully represents pursuant to Rule 180b2:

That your Complainant caused a diligent search of the land, court and testamentary records of Somerset County to be made which failed to determine whether Robert J. Waller (who is deceased) or his heirs or devisees and unknown successors in interest are residents of this State. Complainant is without knowledge as to where to direct service to be made nor to whom.

WHEREFORE, the Petitioner, your Complainant herein, prays an Order of this Court that the Respondent be proceded against as non-residents as provided in the Maryland Rules of Procedure in such cases providedgiving notice of the pendency of the above entitled action by publication.

JONES & JONES

By Tony Bruce
Tony Bruce
Solicitors for Petitioner

AFFIDAVIT

I, Tony Bruce, do hereby make affidavit that I have made reasonable and bona fide efforts to determine the successors in interest of Robert J. Waller and that as a result of my investigations I believe Robert J. Waller is deceased and his successors in interest cannot be served by personal service within this jurisdiction.

Tony Bruce
Tony Bruce

Subscribed to before me this 17th day of September, 1982.

Patsy E. Ake Notary Public

BOOK 048 PAGE 829

BOOK 048 PAGE 830

Charles H. Jones, Jr.	:	No. 11374 Chancery
vs	:	In the Circuit Court for
Robert J. Waller, his heirs and assigns, devisees, successors in interest, and all other persons unknown claiming any right, title, estate, lien or interest in the real property described in the Complaint adverse to Complainant's title thereto	:	Somerset County, Maryland

ORDER OF PUBLICATION

This is to give notice that on the 17th day of September, 1982, a Bill of Complaint Quia Timet was filed in the Circuit Court for Somerset County, Maryland, by the Complainant against the Respondent, his heirs and assigns, devisees, successors in interest, the whereabouts of whom are unknown.

The Bill alleges that Complainant is the owner of an acre of land in St. Peters Election District, Somerset County, Maryland, depicted on Somerset County Tax Map No. 22, in Block 3 as Parcel 110 containing one acre, more or less, being formerly the property of Robert J. Waller (deed reference S.F.D. No. 62, folio 592); that the property was abandoned and taken up by Complainant and that any lack of record thereof is a denial or dispute of Complainant's title which is without right because Complainant and his predecessors have had exclusive, complete, actual, open, notorious, hostile and continuous undisputed possession of said property adverse to Respondents and all other persons for more than twenty years.

The relief prayed in the Bill is substantially as follows:

1. To require Respondent and all persons claiming under them any other persons claiming an interest in said real property to set forth the nature of their claim.

2. To quiet title of said real property in Complainant.

WHEREUPON, it is Ordered by the Circuit Court for Somerset County, this 20th day of September, 1982, that the Complainant cause a copy of this Order to be inserted in a newspaper published in Somerset County, once a week in each

of three successive weeks, before the 12th day of October, 1982, giving notice to the said non-resident Respondent of the object and substance of the Bill and warning them to show cause, if any there may be, on or before the 13th day of December, 1982, why a decree should not be passed as prayed.

R. L. Storey
Judge

BOOK 048 PAGE 832

Charles H. Jones, Jr.	:	No. 11374 Chancery
vs	:	In the Circuit Court for
Robert J. Waller, his heirs and assigns, devisees, successors in interest, and all other persons unknown claiming any right, title, estate, lien or interest in the real property described in the Complaint adverse to Complainant's title thereto	:	Somerset County, Maryland

ORDER

Upon the aforegoing Bill of Complaint Quia Timet, it is this 17th day of September, 1982, ORDERED by the Circuit Court for Somerset County that the Respondent, Robert J. Waller, his heirs and assigns, devisees, successors in interest, and all other persons, be proceeded against as non-residents by giving notice by publication at least once a week in each of three successive weeks in a newspaper published in Somerset County, Maryland, before the 12th day of October, 1982, stating the substance and object of the original Bill and warning the said Respondents to file an initial pleading to said Bill on or before the 13th day of December, 1982, and by posting upon the land pursuant to Rule 111.

R. D. Dorsey
Judge

PRINCESS ANNE, MD., Oct 23 1982

This is to certify that the annexed Notice

has been published in the *MARYLANDER and HERALD*, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Notice

Dates Inserted: Sept 23, 30, Oct 7 1982

Bryan Byrd

Business Manager MARYLANDER and HERALD

TONY BRUCE
Solicitor
JONES AND JONES
Attorneys at Law
Princess Anne, Md.
651-2747

ORDER OF PUBLICATION

CHARLES H. JONES, JR

VS

ROBERT J. WALLER,
his heirs and assigns, devisees, successors in interest, and all other persons unknown claiming any right, title, estate, lien or interest in the real property described in the Complaint adverse to Complainant's title thereto

No. 11374 Chancery
In the Circuit Court
for Somerset County, Maryland

ORDER OF PUBLICATION

This is to give notice that on the 17th day of September, 1982, a Bill of Complaint Quia Timet was filed in the Circuit Court for Somerset County, Maryland, by the Complainant against the Respondent, his heirs and assigns, devisees, successors in interest, the whereabouts of whom are unknown.

The Bill alleges that Complainant is the owner of an acre of land in St. Peters Election District, Somerset County, Maryland, depicted on Somerset County Tax Map No. 22, in Block 3 as Parcel 110 containing one acre, m ore or less, being formerly the property of Robert J. Waller (deed reference S.F.D. No.62, Folio 592); that the property was abandoned and taken up by Complainant and that any lack of record thereof is a denial or dispute of Complainant's title which is without right because Complainant and his predecessors have had exclusive, complete, actual, open, notorious, hostile and continuous undisputed possession of said property adverse to Respondents and all other persons for more than twenty years.

The relief prayed in the Bill is substantially as follows:

1. To require Respondent and all persons claiming under them any other persons claiming an interest in said real property to set forth the nature of their claim.
2. To quiet title of said real property in Complainant.

WHEREUPON, it is Ordered by the Circuit Court for Somerset County, this 20th day of September, 1982, that the Complainant cause a copy of this Order to be inserted in a newspaper published in Somerset County, once a week in each of three successive weeks, before the 12th day of October, 1982, giving notice to the said non-resident Respondent of the object and substance of the Bill and warning them to show cause, if any there may be, on or before the 13th day of December, 1982, why a decree should not be passed as prayed.

R. D. HORSEY
Judge

True Copy, Test:
I. THEODORE PHOEBUS, Clerk

3tc 9/23

BOOK 048 PAGE 834

Charles H. Jones, Jr.	:	No. 11,374 Chancery
vs	:	In the Circuit Court for
Robert J. Waller, his heirs and assigns, devisees, successors in interest, and all other persons unknown claiming any right, title, estate, lien or interest in the real property described in the Complaint adverse to Complainant's title thereto	:	Somerset County, Maryland

To the Honorable, the Judge of said Court:

The petition of Charles H. Jones, Jr., the Complainant herein, respectfully shows:

That the Respondents in this cause, have been duly summonsed to appear to the Bill of Complaint in this cause, but have failed to appear to or answer said Bill of Complaint.

The Complainant, therefore prays, that the Bill of Complaint in this cause may be taken pro-confesso against the said Respondents and that the Complainant have leave the take testimony before one of the standing examiners of this Court.

JONES & JONES

By Tony Bruce

Tony Bruce
Solicitors for Complainant

ORDER

It appearing in the above entitled cause that the adult Respondent, Robert J. Waller, his heirs and assigns, and all other persons unknown, claiming any right, title, estate, lien or interest in the real property described in the complaint adverse to Complainant's ownership, or any cloud upon Complainant's title thereto, have been duly summonsed to appear to the Bill of Complaint, in this cause, but have failed to appear to or answer said Bill of Complaint within the time prescribed by the Rules of this Court.

It is thereupon this 22nd day of Dec, in the year nineteen hundred and eighty-two, by the Circuit Court for Somerset County, Maryland,

JONES & JONES
ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

in Equity, ADJUDGED, ORDERED and DECREED that said Bill of Complaint, be and the same is hereby taken pro-confesso against said Respondents.

And it is further ORDERED that the Complainant have leave to take testimony before one of the standing examiners of this Court.

Lloyd L. Simpkins
Judge

Charles H. Jones, Jr.	:	No. 11,374 Chancery
vs	:	In the Circuit Court for
Robert J. Waller, his heirs and assigns, devisees, successors in interest, and all other persons unknown claiming any right, title, estate, lien or interest in the real property described in the Complaint adverse to Complainant's title thereto	:	Somerset County, Maryland

TESTIMONY

A Decree pro-confesso having been previously filed in this proceeding upon Petition of the Complainant against the Respondent who has failed to appear or to answer the Bill of Complaint filed in this proceeding within the time prescribed by the Rules of Court, therefore:

The following testimony was taken in the above entitled proceeding by me, Logan C. Widdowson, a Standing Examiner of the Circuit Court for Somerset County, Maryland. I do hereby certify that on this 4th day of January, 1983, in the law offices of Jones & Jones, Princess Anne, Maryland, I didtake the following testimony, to wit:

Charles H. Jones, Jr., a witness of lawful age produced on the part of the Complainant, being first duly sworn, deposes and says:

Int. 1 Please state your name, age, residence and occupation.

Ans. My name is Charles H. Jones, Jr. I am 69 years of age. I reside at Rt. 3, Box 191, Princess Anne, Maryland, and I am employed at Somerset Farmers Service, Inc. in Princess Anne, Maryland.

Int. 2 Do you know any of the parties in this case?

Ans. I am the Complainant in this proceeding.

Int. 3 Are you familiar with the land which is the subject of this proceeding?

Ans. Yes. It consists of one acre, more or less, without improvements, lying on the east side of Maryland Route 627 near Oriole, St. Peters Election District, Somerset County, Maryland. The property is depicted on Somerset County Tax Map No. 22, in Block 3 as Parcel 110 and assessed to me.

Int. 4 How did you and your predecessors acquire title?

Ans. By deed dated August 23, 1982 recorded among the Land Records of Somerset County in Liber I.T.P. No. 334, folio 305, Shelly White, Iva Maddox, Madeline Polk and your Complainant and by deed of even date from Ruth Ballard recorded in Liber I.T.P. No. 334, folio 308 title was conveyed to me. The grantors, including myself, were the children and only heirs at law of Charles H. Jones (other than his widow Elsie) who died in 1947 intestate. His widow died in 1966 survived by those same children and only heirs at law. We inherited the property from them. The property is described in a deed to Robert J. Waller from Charles A. Miller, Sheriff, dated March 26, 1913 recorded in Liber S.F.D. No. 62, folio 592. There is no deed recorded to my parents.

Int. 5 Who is in possession of the property and how did they come in possession?

Ans. I am in possession of the property since the deed from my siblings. Prior to that we possessed it in common since my father's death in 1947. My father possessed the property until the time of his death. My family has been paying taxes on the property and hunting on it and gathering firewood as we needed as long as I can remember to the exclusion of all others. My father bought the property from Capt. Waller prior to the first World War and lost the deed before it was recorded. Capt. Waller died and we never got a deed to record.

Int. 6 What relief you you seek in this proceeding?

Ans. Since my parents had occupied the property since before 1918 and their other children and I since their death and our occupation has been exclusive to all others and well publicized in the community, I have petitioned the court to declare that title be quieted in me by reason of the exclusive, actual and visible adverse possession hostile to the world under claim of right by reason of the payment of taxes, our occupation and my deed. The continued lack of continuous record title from Capt. Waller to me or my family is a cliam adverse to my interest. I also request the court to appoint a trustee to convey good and marketable fee simple title to me by deed and further request the court to enjoin all persons from asserting a claim inconsistent with that title.

Int. 7 Are there any other proceedings at law or in equity to which this property is subject?

Ans. No. I have no other remedy and there are no other proceedings pending or threatened.

COURT QUESTION.

Ans. Nothing further.

Charles H. Jones, Jr.

Charles H. Jones, Jr.

There being no further witnesses produced for examination by me, and at the request of attorneys for Complainant, I hereby return the above testimony to Court under my hand and seal and do hereby certify that I read over the testimony verbatim to the witness and thereupon he signed the same in my presence and that all requirements of the Maryland Rules of Procedure relating to such testimony have been complied with.

Given under my hand and seal this 4th day of January, 1983.

Logan C. Widdowson, Examiner (SEAL)

Charles H. Jones, Jr.	:	No. 11,374 Chancery
vs	:	In the Circuit Court for
Robert J. Waller, his heirs and assigns, devisees, successors in interest, and all other persons unknown claiming any right, title, estate, lien or interest in the real property described in the Complaint adverse to Complainant's title thereto	:	Somerset County, Maryland

DECREE

The proceedings in the above cause including the Bill of Complaint Qui Timet, the testimony and exhibits having been read and considered and the Court having made its own investigation of the facts and circumstances of this case and having considered the comments of counsel of record for Complainant and it appearing to the Court that the ends of justice would be served by the granting of a decree in favor of Complainant, it is thereupon this 24th day of January, 1983, by the Circuit Court for Somerset County, Maryland, sitting in equity, ADJUDGED, ORDERED and DECREED:

1. That the Complainant, Charles H. Jones, Jr. has absolute ownership and the right of disposition of the property described in the Bill of Complaint heretofore filed in this proceeding on behalf of said Complainant, in St. Peters Election District, Somerset County, Maryland, depicted on Somerset County Tax Map No. 22, in Block 3 as Parcel 110 containing one acre, more or less, being formerly the property of Robert J. Waller (deed reference S.F.D. No. 62, folio 592) and having been more particularly described in the deeds referred to in the testimony.

2. That the Complainant, Charles H. Jones, Jr., has established title to said land by virtue of the exclusive, complete, actual, open, notorious, hostile and continuous undisputed possession of said property by himself, his parents and by their predecessors in title, adverse ot the Respondent and all other persons for more than twenty years prior to the filing of the Bill of Complaint in this proceeding and as a result have acquired title to said land by adverse possession under the laws of the State of Maryland.

JONES & JONES
ATTORNEYS AT LAW
P. O. BOX 156
PRINCESS ANNE, MD. 21853-0156

3. That the Respondent, his heirs and assigns, and all persons claiming under them be and they are hereby permanently enjoined from asserting any claim estate, right, title, lien or interest in or to said property or any part thereof adverse to the said Charles H. Jones, Jr. or his successors in interest by any action at law or otherwise.

4. That Tony Bruce is appointed Trustee to execute a special warranty deed formally conveying good and merchantable fee simple title unto the Complainant.

Judge

APR 19 1984

Exd.

GERTRUDE HOWARD	:	NO. 11,372 CHANCERY
Complainant	:	IN THE CIRCUIT COURT FOR
vs.	:	SOMERSET COUNTY
GEORGE EARL PARSONS, et al.	:	STATE OF MARYLAND
Respondents	:	

: : : : : : :

ANSWER TO BILL OF COMPLAINT

FOR SALE OF LAND IN LIEU OF PARTITION

TO THE HONORABLE, THE JUDGE OF SAID COURT:

Emily Northam, one of the Respondents in the above captioned case, by her Solicitor, Thomas S. Simpkins, in Answer to Bill of Complaint hereinbefore filed in this cause, respectfully says:

1. That the Respondent admits the allegations set forth in Paragraphs One, Two, Three, Four, Five, Six and Seven of the said Bill of Complaint.

2. And in further answering the Respondent prays:

A. That the Court grant the relief prayed by Gertrude Howard, the Complainant herein; and

B. That he be granted such other and further relief as the nature of his cause may require.

C. That Thomas Simpkins be appointed co-Trustee in this cause.

Emily Northam (SEAL)
Emily Northam

Thomas S. Simpkins
Solicitor for Emily Northam
51 N. Somerset Ave.
Princess Anne, Md.21853
301-651-1400

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. SOMERSET AVE.
P.O. BOX 207
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

I do hereby certify that on this 9th day of December 1982, I did forward a copy of the foregoing Answer to Bill of Complaint For Sale of Land In Lieu of Partition to Scott Davis, Esquire, 946 W. Main Street, Crisfield, Maryland, 21817, by regular U.S. Mail, postage prepaid.

Thomas S. Simpkins

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. SOMERSET AVE.
P.O. BOX 207
PRINCESS ANNE, MD. 21853

TELEPHONE 651-1400

Gertrude Howard	:	No. 11,372 Chancery Case
vs.	:	In the Circuit Court for
George Earl Parsons, et al	:	Somerset County
	:	State of Maryland
	:	DATE: November 29, 1982
	:	
	:	
	:	

NOTICE OF JUDGMENT BY DEFAULT

OR

DECREE PRO CONFESSO

TO: Bryan Parsons

Charleston, North Carolina

In accordance with Maryland Rules of Procedure, you are notified that a ~~judgment by default/summary judgment~~/decree pro confesso/ ~~summary decree~~ was entered against you in the above entitled case on November 29, 1982.

If you wish to take exception to this ~~Judgment~~/Decree/~~by default~~, you have thirty days from the date of the ~~Judgment~~/Decree within which to do so.

I. Theodore Phoebus
Clerk of the Circuit Court for
Somerset County, Maryland

TRUE COPY, TEST: I. Theodore Phoebus Clerk

T. THEODORE PHOEBUS
CLERK OF THE CIRCUIT COURT
FOR SOMERSET COUNTY
PRINCESS ANNE, MD. 21853

RETURNED TO SENDER

PRINCESS ANNE MD. NOV 3 '82

U.S. POSTAGE .20

Mr. Bryan Parsons

Charleston, North Carolina

Insufficient address

BOOK 048 PAGE 756

or them sold, free, clear and discharged from all claims of the parties hereto, and those claiming by, from or under them, or either of them. And the said Trustees shall bring into this Court the money arising from said sale, to be distributed under the direction of the Court, after deducting costs of this suit, and such commissions to the said Trustees as this Court shall think proper to allow in consideration of the skill, attention and fidelity wherewith they shall appear to have discharged their trust.

Judge R. G. Horsey

KNOWN ALL MEN BY THESE PRESENTS, That we, R. Scott Davis, Thomas S. Simpkins, Joshua Miles & Wade D. Ward, of Somerset County and State of Maryland, and The Fidelity and Deposit Company of Maryland, a body corporate, are held and firmly bound unto the State of Maryland, in the full and just sum of twenty-five thousand dollars ($25,000.00) current money to be paid to the State of Maryland or its certain attorney, to which payment well and truly to be made and done we bind ourselves and each of us, our and each of our heirs, executors, administrators and assigns, jointly and severally, firmly by these presents, sealed with our seals and dated this 16th day of March, in the year nineteen hundred and eighty-three.

Whereas, the above bounden, R. Scott Davis, Thomas S. Simpkins, Joshua Miles and Wade D. Ward, by virtue of a decree of the Circuit Court for Somerset County, has been appointed to sell the property mentioned in the proceedings in the case of Gertrude Howard vs. George Earl Parson, et al, now peinding in said Court, being No. 11,372 Chancery.

Now, the condition of the above obligation is such that if the above bounden, R. Scott Davis, Thomas S. Simpkins, Joshua Miles and Wade D. Ward does and shall, well and faithfully perform the trust reposed in him by said decree or order in the premises, then the above obligation shall be void, otherwise to be and remain in full force and virtue in law.

Witness: Vera C. Tyler — R. Scott Davis (seal)

Witness: Jean Taylor — Thomas S. Simpkins (Seal)

Witness: Vera C. Tyler — Joshua Miles (seal)

Witness: Vera C. Tyler — Wade D. Ward (seal)

THE FIDELITY AND DEPOSIT COMPANY OF MARYLAND

By Philip W. Jones
Attorney in Fact

THE WITHIN BOND APPROVED:

PER: Clerk L. Theodore Shockley

Bond Book No. 11, Page 193

Bond Book No. 11, Page 194

Power of Attorney

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

HOME OFFICE: BALTIMORE, MD.

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by WM. H. C. GRIFFITH, Vice-President, and JOHN C. GARDNER, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which reads as follows:

"The President, or any one of the Executive Vice-Presidents, or any one of the additional Vice-Presidents specially authorized so to do by the Board of Directors or by the Executive Committee, shall have power, by and with the concurrence of the Secretary or any one of the Assistant Secretaries, to appoint Resident Vice-Presidents, Resident Assistant Secretaries and Attorneys-in-Fact as the business of the Company may require, or to authorize any person or persons to execute on behalf of the Company any bonds, undertakings, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgments, decrees, mortgages and instruments in the nature of mortgages, and also all other instruments and documents which the business of the Company may require, and to affix the seal of the Company thereto."

does hereby nominate, constitute and appoint Harry W. Rodgers, III, Philip W. Tawes, and William H. Landon, all of Baltimore, Maryland, EACH

its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: any and all bonds and undertakings

And the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, Maryland, in their own proper persons. This power of attorney revokes that issued on behalf of Harry W. Rodgers, III, dated March 25, 1964.

The said Assistant Secretary does hereby certify that the aforegoing is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 28th day of May, A.D. 1964.

ATTEST:

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

(SIGNED) JOHN C. GARDNER
(SEAL) *Assistant Secretary*

By WM. H. C. GRIFFITH
Vice-President

STATE OF MARYLAND
CITY OF BALTIMORE } ss:

On this 28th day of May, A.D. 1964, before the subscriber, a Notary Public of the State of Maryland, in and for the City of Baltimore, duly commissioned and qualified, came the above-named Vice-President and Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself deposeth and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal, at the City of Baltimore, the day and year first above written.

(SIGNED)
(SEAL)

GLORIA L. FAGAN
Notary Public Commission Expires May 3, 1965

CERTIFICATE

I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the original Power of Attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2 of the By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said Company, this ..... day of ....., 19.....

Assistant Secretary

L1419—Cd.

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BY 2AB DEPUTY
BOOK 048 PAGE 867

Area Code (302) 674-4750

BOOK 048 PAGE 808

TRUSTEE'S SALE , HOWARD 'PARSONS

INDEPENDENT NEWSPAPERS INCORPORATED • P.O. BOX 7001, DOVER, DEL. 19901

County of Kent :
: s.s.
State of Delaware:

Before me, a Notary Public for the County and State aforesaid, personally appeared JENNILEE GRANDFIELD of Independent Newspapers, Inc., who deposes and swears that the notice, a copy of which is hereto attached, was published in THE CRISFIELD TIMES, CRISFIELD, MARYLAND, in its issue of MAY 25, 1983 JUNE 1, 8, 15, 1983.

Jennilee Grandfield
Independent Newspapers, Inc.

Sworn to and subscribed before me this twentieth day of June, A.D. 1983.

Wendolyn A. Roberts
Notary Public